

# **EXHIBIT A**

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Joe ([00:00:00](#)):

But ultimately , if this case gets filed administratively, civilly, if there's a criminal case here, whoever, you know, ends up being on the other side of the table then, they would also get a copy of all this. So, that-that's why we do it.

Roy Hauser ([00:00:16](#)):

Okay.

Joe ([00:00:18](#)):

It-it's for sure.

([00:00:18](#)):

So why don't we go ahead and...

Speaker 1 ([00:00:19](#)):

Got him started.

Joe ([00:00:20](#)):

Okay, all righty. Um, so Mr.Howser, as-as we sort of introduce ourselves here, my name is Joe Jones. I'm an assistant United States attorney, with the United States Department of Justice. I work for the US Attorney's office down in Los Angeles, though I live up here in Ventura County myself, as well. I take the train in every day, down to the- what I call "The Toilet Bowl" down into-into LA, so.

Speaker 1 ([00:00:44](#)):

(Laughing)

Joe ([00:00:45](#)):

Um, it's nice to be up here on a day like this, rather than be in LA. We have here Coast Guard Investigative Services Special Agents. Uh, I'll call them Chris Z and Jaime Ray. Um, it- you know, is there a chance we could turn the radio off? You think that's a good idea?

Speaker 1 ([00:01:04](#)):

Yeah, sorry. That's what I meant. Sorry.

Joe ([00:01:06](#)):

Okay.

Speaker 1 ([00:01:06](#)):

Yeah.

Roy Hauser ([00:01:06](#)):

No, I thought it turned off.

Joe ([00:01:09](#)):

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Yeah, I just want to make sure the recording device can pick everything up.

Roy Hauser ([00:01:12](#)):

Well, it's in my bedroom.

Joe ([00:01:14](#)):

Although, I do like your taste in music.

Roy Hauser ([00:01:18](#)):

What? Now, I-I'll go in there and-

Joe ([00:01:18](#)):

Okay.

Roy Hauser ([00:01:18](#)):

I think it's coming from my bedroom.

Joe ([00:01:19](#)):

You got it.

Speaker 1 ([00:01:20](#)):

Gotcha. Appreciate it, Mr. Howser.

Roy Hauser ([00:01:22](#)):

Okay.

Joe ([00:01:24](#)):

Brian Adams.

Speaker 1 ([00:01:26](#)):

Yeah, jamming.

Joe ([00:01:43](#)):

You see that picture on the wall?

Speaker 1 ([00:01:52](#)):

A lot of artwork.

Roy Hauser ([00:01:57](#)):

Okay, I think we're pretty good now, huh?

Joe ([00:01:58](#)):

I can still hear the radio playing.

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Roy Hauser ([00:02:01](#)):

Yeah, it's got to be coming in from somewhere.

Speaker 2 ([00:02:03](#)):

Is that a radio in the corner over there, Roy? Or?

Speaker 1 ([00:02:05](#)):

I don't think it's coming from outside, is it?

Roy Hauser ([00:02:17](#)):

There it is.

Speaker 1 ([00:02:17](#)):

There we are.

Speaker 2 ([00:02:18](#)):

Thank you sir.

Roy Hauser ([00:02:19](#)):

Sorry about that, guys.

Joe ([00:02:19](#)):

That's okay.

Roy Hauser ([00:02:20](#)):

All right.

Joe ([00:02:22](#)):

Just want to make sure we've got the best chance to-

Roy Hauser ([00:02:23](#)):

Yeah, yeah, I-

Joe ([00:02:24](#)):

To have a good recording.

Roy Hauser ([00:02:24](#)):

I totally understand.

Speaker 2 ([00:02:26](#)):

Right.

Joe ([00:02:27](#)):



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So, I'm sure you understand that we are...we are currently conducting a criminal investigation of the Labor Day, you know, catastrophe where um, you know, there was a homicide. Um, which basically means the lawful or the unlawful killing of another human being. Uh, as you know 34 people perished in the-the fire aboard the passenger vessel Conception, um which as we understand it, is- is a vessel in a company that you uh, have been associated with in the past. So, your status today is a witness. You know, we believe that you're somebody that may have uh, sp-special knowledge um, about Truth Aquatics, Inc. um, about the passenger vehicle Conception, which I'll call the PV Conception, that may give us some insight about what happened here, because along with the National Transportation Safety Board, the NTSB, along with Coast Guard Investigative Services-

Roy Hauser ([00:03:30](#)):

ATF was here, too.

Joe ([00:03:31](#)):

ATF, FBI. Santa Barbara Sheriff's Department, the coroner's office. We're all trying to figure out what happened. And part of that inquiry is to determine whether or not there are changes that need to be made um, in these types of you know, uh, dive vessels, charter vessels, which-which can prevent things like this from happening in the future. So um, we really appreciate you taking the time to talk to us. Now, we aren't looking into your conduct. We don't think that you've done anything wrong. Again, we just think you have background information that may be of use to us. So, really the only way that you can get yourself sideways with all these federal agencies would be if you were to try to let's say, help us out, by maybe exaggerating and making stuff up to get back at somebody. Or, maybe you try to cover something up or not tell us about something that you know. That's th- that's the only way. And-and what we call that in the federal system, that's called a material false statement. Making a material false statement.

([00:04:37](#)):

So, these guys are federal agents. So, for example, let's say that you knew precisely what happened in this case and we asked you that an-and you didn't tell us. Or you, you know, you either omitted to tell us something or you-you lied about it. That-that would be uh, a federal crime, okay? Um, so really that's kind of the only way th-the only problem you would have here today is if you-you're just not completely candid with us. So, um, you're not...(Laughing) You're not under arrest. You're not being detained. We've come to- come to you.

Roy Hauser ([00:05:10](#)):

As a courtesy. Thank you.

Joe ([00:05:12](#)):

We're sitting here at your kitchen table, you've been very kind to let us into your home. We appreciate that. Um, you've been served with a Grand Jury subpoena, which uh, directed you to appear in Los Angeles today. Before a dually convened Federal Grand Jury. Um, you've explained that you've got some personal issues and reasons why that's not uh, a great option for you. Um, and so, to accommodate you, we're here today. Um, so we're here doing this interview-

Roy Hauser ([00:05:42](#)):

Which I do appreciate.

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Joe ([00:05:44](#)):

What- ah- we- we're trying to make it easy. So, instead of you appearing in front of a Grand Jury, and answering these questions in front of 22 members of that Grand Jury, we're going to do it here in your kitchen. Now, I understand that you probably need- you've got some needs, you may need to get up and move around every-

Roy Hauser ([00:06:00](#)):

Four hours I can sit on my butt.

Joe ([00:06:02](#)):

Okay, well hopefully we'll be done by then. Okay. But if at any point you need to take a break, uh, anybody needs to use the restroom, you know, step outside for a bit, just kind of clear the-clear the wool out of your head, let's...we can turn the digital recorder off, we can take a 10, 15 minute break. Um, I'll probably be the first one since I've had several cups of coffee this morning.

Speaker 1 ([00:06:23](#)):

(Laughing)

Joe ([00:06:25](#)):

Um-

Roy Hauser ([00:06:26](#)):

Down the hallway, to the left.

Speaker 1 ([00:06:27](#)):

Excellent.

Speaker 2 ([00:06:27](#)):

Thank you.

Joe ([00:06:28](#)):

So, you know, after hearing that sort of intro, do you have any questions for me or any questions for the agents as to about what we're doing here today, sort of what your involvement is?

Roy Hauser ([00:06:37](#)):

Just to answer any questions you may have.

Joe ([00:06:40](#)):

That's it.

Speaker 2 ([00:06:40](#)):

Yes sir.

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Joe ([00:06:41](#)):

That's all we need. So, let's start out with some simple stuff. Non-controversial, easy stuff. Um, we have a real curiosity and an interest in kind of understanding how Truth Aquatics came about. You know, h- I mean, that was sort of your baby, back in the day. How did you get involved in scuba diving? I mean, I've got to guess that diving and uh...I've got to guess that your first passion was diving. That's maybe what- how you got into this. So why don't you tell us about that?

Roy Hauser ([00:07:09](#)):

Uh, I was 11 years old. I moved with my parents to Wilmington from San Pedro. The person that we moved next door to was George Edwards. He owned a boat. In my youth, 10 years old, I uh, delivered newspapers. I did whatever I could to earn a nickel uh, and when I was about 11 years old, I- he- I was cleaning up his backyard. He had dogs. I cleaned dog poop out of his backyard and stuff, and he had bought a-a partnership into a boat uh, called the Rio Rita. The Rio Rita was an old rum runner, uh it had quite a history of its own. I started working for him when I was 11 years old. He asked if I would like to go out on a boat. My dad, who was a long shoreman, said "Yeah, you can go out on a boat." I said, "Wow, I've never been on a boat before."

([00:08:22](#)):

And we went to Catalina Island, and at 11 years old, as we were coming into a place called Emerald Bay, George, the neighbor who owned the boat by now, told me to go up on the bow, lay over on the deck and look over the bow. So we came into Emerald Bay, and I was 11 years old. I saw the bottom of the ocean. I was fixated. So, throughout my entire youth, I worked as a deck hand. In those years, you didn't have to be 16 years old to work on a boat. This is 1956.

Joe ([00:09:10](#)):

Hmm.

Roy Hauser ([00:09:11](#)):

So, I started working on a dive boat in 1956. I worked through my entire childhood, uh, as a youth. Junior high school, high school- uh, I always stayed with the boats. Uh, after we rebuilt the Rio Rita, I- in 1966 we came...in those years you had to be 21 years old to become a captain. So, I had to wait until I was 21 to become a captain. I became a captain, and after a couple of years running the boat, I realized that it's great being a captain, but this is like a dead end room. So, I found a couple guys that helped me uh, financially and we bought a boat called The Truth in 1970.

([00:10:12](#)):

In May of 1970, we started Truth Diving Corporation. Unfortunately, in 1972...it feels like an autobite advert. Huh. Anyway. 1972, uh, I hit a reef off the west end of San Clemente Island and I lost the boat. Got- and everything. Everything I had ever worked for was gone. I was devastated, but I had a young- not a young, had an old guy that was one of the passengers on the boat, and he agreed to finance me. Doctor Garder. And he put up the money to be able to build that boat Truth, that you see hanging over there.

Joe ([00:11:07](#)):

Mm-hmm.

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Speaker 1 ([00:11:07](#)):

Mm-hmm.

Roy Hauser ([00:11:08](#)):

So, The Truth is the second Truth. We built that boat in 1973. Took a year to build it. That's when I met Glen Fritzler, actually he had been a passenger aboard the boats in 1972. Um, we formed Truth Aquatics. I ran the boat successfully. Built a hell of a reputation and business. 1978, January, I had a scuba diving bends hit off of Farnsworth Banks. I became crippled. After a year of being in a wheelchair, trying to orchestrate and run the boat, I realized there was no way I was going to be able to do this on my own. So, I offered Glen Fritzler, who had been a young man who had helped build on the boat, and been with me over the years. I recognized his potential. I mean, the guy just had it.

([00:12:34](#)):

I've had many, many crewman. I've had many, many people work for me, but here was a young man that just put his all into it. He drove from Fountain Valley to Santa Barbara. Never asked for gas money, never missed a day. He was always there, al- he would stay until the end of Sunday, when the boats were cleaned. Then he would go back home, attend school, and when we came in at the dock on a Friday afternoon, he was there. He helped clean the boat and get it ready for the next day's operation. Well, in 19...end of '78 when I realized, after a year of being in the wheelchair and not being able to be a captain anymore, the only way the company was going to go forward is I needed a partner. And the only partner I'd ever dreamed of having was Glen.

([00:13:48](#)):

Now, uh, I offered him a partnership in the company with a seven year contract. After seven years, if he stayed with me, every year he was offered a seven percent ownership in the company. And at any time he never wanted to be in it, it was his opportunity to bail and I would find the resources to bail him out. But he stayed with it, stayed with it, stayed with it. In 19- the company, our charters grew. The operation was so successful, because it was run so properly, people were clamoring to get on our boat. I was nothing more than a figurehead.

Joe ([00:14:46](#)):

What do you mean by that? When you say the company was operated so properly? What-what-what was-

Roy Hauser ([00:14:50](#)):

Well, we had-

Joe ([00:14:51](#)):

What was the secret sauce? What made the difference? Why did it become so popular?

Roy Hauser ([00:14:54](#)):

Glen and me.

Joe ([00:14:55](#)):

But doing what?

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Roy Hauser (00:14:57):

He-

Joe (00:14:58):

What set you guys apart from the other dive boat operators?

Roy Hauser (00:15:02):

The way we treated our customers. Now, this is before computers, this- I had telephone conversations come regularly. I would call the groups and make sure that- how do- okay, I'm not on the boat anymore. I'm off the boat. January 8th, 1978. My boat operating ex- was gone. Coast Guard would not license me as being a boat captain.

Joe (00:15:32):

Because of the physical ailments?

Roy Hauser (00:15:34):

Well of course. You ca- I couldn't get up, I couldn't get down in the en- I could not conform with the US Coast Guard requirements, physically run the boat.

Joe (00:15:45):

So, are there- okay, I know that. So, there are- there's Coast Guard requirements, physical requirements? Like-

Roy Hauser (00:15:53):

Yes sir.

Joe (00:15:54):

You have to pass a physical or something?

Speaker 2 (00:15:55):

You have to be able to move about the decks.

Joe (00:15:58):

Okay.

Speaker 1 (00:15:58):

Exactly.

Joe (00:15:59):

All right. And...okay, so those are regulations or- that's uh, you're-you-you're nodding at me. Remember, for the tape, you have to say "yes". So.

Roy Hauser (00:16:09):

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What?

Joe ([00:16:10](#)):

I said you nodded at me. You nodded "yes", but the tape doesn't pick that up.

Roy Hauser ([00:16:13](#)):

Oh, I'm sorry. Yes. Yes.

Joe ([00:16:15](#)):

Okay. Okay. So, there's- all right, so, just so I understand this, whenever you...how often do you have to requalify for your-

Roy Hauser ([00:16:24](#)):

Every five years.

Joe ([00:16:25](#)):

And what do they call that license?

Roy Hauser ([00:16:27](#)):

Well, it was the 007 in those days.

Joe ([00:16:30](#)):

( Laughs)

Roy Hauser ([00:16:30](#)):

Ocean operator.

Joe ([00:16:31](#)):

(Laughing)

Roy Hauser ([00:16:31](#)):

Now, they call it Limited Masters.

Joe ([00:16:34](#)):

Limited Masters, okay.

Roy Hauser ([00:16:35](#)):

Well, today they call it.

Joe ([00:16:36](#)):

Okay.

Roy Hauser ([00:16:38](#)):

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Ocean Operator.

Joe ([00:16:40](#)):

007 Ocean Operator. Back then.

Roy Hauser ([00:16:41](#)):

Back then.

Joe ([00:16:42](#)):

Okay. But how often, how frequently would you have to- to comply with these regulations and take a physical?

Roy Hauser ([00:16:49](#)):

Every five years.

Joe ([00:16:50](#)):

Every five years. And so, was it the- was it your incident with the bends that caused your physical issues?

Roy Hauser ([00:16:58](#)):

Yes.

Joe ([00:16:58](#)):

Okay. All right. So then, as of January 8th, 1978, the regulations kind of prevented you from serving as a 007 Ocean Operator, which now they call a Limited Masters License?

Roy Hauser ([00:17:12](#)):

Yes.

Joe ([00:17:13](#)):

Okay. How did you feel about that? Did you feel that was a bunch of BS or unfair? Or did you think it was appropriate that, because of your limitations that you...you know, because some people would look at that and say "Hey, look. The Coast Guard is kind of taking away my- my passion. Taking away my, you know, what you do every day." How did you feel about that? Was that-

Roy Hauser ([00:17:33](#)):

It was regulations.

Joe ([00:17:36](#)):

Okay. Well, what does that mean?

Roy Hauser ([00:17:38](#)):

It means you do what you're told. You surrender your license.

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Joe ([00:17:45](#)):

Okay. And so did you have to like, physically go down here to the harbor, to the Coast Guard, and-

Roy Hauser ([00:17:50](#)):

No, it was in Long Beach at the time. This is 1978. The OCMI in Los- in Long Beach.

Joe ([00:17:59](#)):

What is OCMI?

Roy Hauser ([00:17:59](#)):

Officer... you can tell him.

Speaker 2 ([00:18:03](#)):

Hmm. Officer in charge of...

Roy Hauser ([00:18:04](#)):

Well, yeah. Officer in charge of the inspections.

Joe ([00:18:07](#)):

Ma-marine inspection?

Speaker 2 ([00:18:08](#)):

Officer In Charge of Marine Inspections.

Joe ([00:18:11](#)):

Officer in Charge, Marine Inspections. Okay, so the OCMI office was down in Long Beach?

Roy Hauser ([00:18:15](#)):

Yes sir.

Joe ([00:18:16](#)):

Is that where you operated out of, back then?

Roy Hauser ([00:18:18](#)):

Yes. In Los Angeles. San Pedro is where the business started.

Joe ([00:18:22](#)):

Okay.

Roy Hauser ([00:18:22](#)):

1970.

Joe ([00:18:24](#)):



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And so did you literally have to turn your credentials in, your licensing?

Roy Hauser ([00:18:27](#)):

Yes, I did.

Joe ([00:18:28](#)):

Huh. You didn't try to fight that? You just complied with the regulations?

Roy Hauser ([00:18:32](#)):

I had no reason to f-I could not fi- I mean, I was- I was in a wheelchair.

Joe ([00:18:36](#)):

Okay.

Roy Hauser ([00:18:37](#)):

I- in those years, I was still able to get up on Canadian crutches and move around.

Joe ([00:18:43](#)):

Is that a joke? Canadian crutches?

Roy Hauser ([00:18:45](#)):

(Laughs)

Joe ([00:18:47](#)):

(Laughs)

Roy Hauser ([00:18:47](#)):

Well, I was still young at the time. I was only 32 years old.

Joe ([00:18:52](#)):

Okay, but what's a Canadian crutch?

Roy Hauser ([00:18:55](#)):

Uh, it's...does...it's got the little handles that come out on the side, and a clamp that goes around the arms.

Joe ([00:19:02](#)):

Oh yeah, yeah. Okay. Got it. Right.

Roy Hauser ([00:19:03](#)):

Those are Canadian crutches.

Joe ([00:19:04](#)):

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So it doesn't go up into your armpit?

Roy Hauser (00:19:04):

No, it doesn't go up in your armpit.

Joe (00:19:04):

Okay.

Roy Hauser (00:19:04):

No, they're just...

Joe (00:19:04):

Got it.

Roy Hauser (00:19:04):

[inaudible 00:19:10]

Joe (00:19:11):

So, January 8th, 1978, you surrender your 007 uh, Ocean Operator to the OCMI in Long Beach.

Roy Hauser (00:19:20):

Yes sir.

Joe (00:19:21):

Okay. How long had Fritzler, I know it's Glen Fritzler, I'm uh- is it okay with you if I call him Fritzler?

Roy Hauser (00:19:27):

Well, absolutely.

Joe (00:19:29):

Okay. How long had Fritzler been with you up to that point?

Roy Hauser (00:19:32):

Uh, from 1973.

Joe (00:19:35):

1973. Okay. And when did you start the partnership with him, that first seven year period? Was that in '78?

Roy Hauser (00:19:42):

I offered that to him in 1979. Early sevent-it was- it was a year after I was in the wheelchair, in 1979 I offered Glen uh, the opportunity which comes disguised as hard work. To become a full partner after a seven year contract.

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Joe ([00:20:16](#)):

And so, in that first seven year period of time, he wouldn't earn any uh, ownership percentages?

Roy Hauser ([00:20:22](#)):

Every year, he earned seven percent.

Joe ([00:20:24](#)):

Oh, starting in year one?

Roy Hauser ([00:20:25](#)):

Year one.

Joe ([00:20:26](#)):

Okay.

Roy Hauser ([00:20:27](#)):

You get a year, you got seven percent.

Joe ([00:20:29](#)):

So, at the end of that seven years...

Roy Hauser ([00:20:32](#)):

It would be 49.

Joe ([00:20:33](#)):

There we go. I learned in elementary school.

Speaker 1 ([00:20:35](#)):

(Laughs)

Roy Hauser ([00:20:35](#)):

And I said at that, "I don't want 49/51. If you have a true partnership, you're 50/50 or you're nothing." So, I told him, at the end of the seven years, you get the other percent, we're 50/50. No more of this 51, 75, blah blah blah.

Joe ([00:20:58](#)):

How'd that work out-uh, I- uh-

Roy Hauser ([00:21:00](#)):

Absolutely excellent.

Joe ([00:21:02](#)):

Okay. You guys didn't have any, you guys weren't loggerheads or button heads over-

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Roy Hauser (00:21:08):

No sir. At no time did my friend, partner, Glen Fritzler and I have any kind of physical, mental, disagreements.

Joe (00:21:25):

Okay. You've called him your friend, um, I-

Roy Hauser (00:21:29):

Absolutely.

Joe (00:21:30):

I know that uh, I believe when you first uh, met agent Chris Z here, maybe last week, I-I don't know if it was the sixth...

Speaker 1 (00:21:36):

Friday.

Joe (00:21:36):

Uh, Friday. I think that you described uh, Fritzler to uh, agent Z as your partner as well. Currently. Still your partner.

Roy Hauser (00:21:49):

I still feel that in my heart.

Joe (00:21:49):

Okay. So- so let's clear the air, because one thing that we deal with as investigators and prosecutors is, we have to deal with what we call bias, or credibility of a witness. Because you're a witness, so how you feel about Mr.Fritzler may very well color how you say things here today, so-

Roy Hauser (00:22:13):

I would not ever, ever lie or deceive anything regarding the questions that you have regarding Glen Fritzler and the operation of Truth Aquatics.

Joe (00:22:29):

Good.

Roy Hauser (00:22:29):

I will never do that. Ever.

Joe (00:22:31):

Okay. So lets talk about The Truth. The first Truth.

Roy Hauser (00:22:38):

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Yes sir. 1970, purchased. Built in 1960.

Joe ([00:22:45](#)):

Okay, so you didn't build the first Truth. It was the second Truth?

Roy Hauser ([00:22:48](#)):

It's the second Truth.

Joe ([00:22:49](#)):

Where did y- where was the shipyard or- or the ship builder?

Roy Hauser ([00:22:52](#)):

Then, uh- uh, it was um, Venice California Custom Built Custom Boats Mac McCullough. He and Jo-Jeffery were partners. He worked on the Spruce Goose.

Joe ([00:23:08](#)):

Was...give me the date of that again. Was Fritzler involved with you at that point?

Roy Hauser ([00:23:14](#)):

Only as a helper. Uh, he was 13 years old. He'd come up and work on the b- he was a passenger on the boat and his father was a passenger on our boat. Truth. In between the-the demise of the first Truth, and the building of the current Truth, there was a boat called the Mister C. It was a sport fishing boat, who I had helped work on during it's construction. Bobby Clifford, Mister C, passed away and the boat was purchased by a guy named Dick Dewitt. Dick Dewitt had a fishing boat. I had lost The Truth. I had a great deal of business, a lot of passengers wanted to go out diving, but no boat to put them on. Dick Dewitt had purchased this boat, didn't know what to do with it. So, they came to me and said "Would you turn this fishing boat into a dive boat?" And that's what dive boats used to be. You took div- old fishing boats that were no longer competitive, and you turned them into dive boats.

Joe ([00:24:44](#)):

So, like a second lease on life for that, for the hull?

Roy Hauser ([00:24:48](#)):

For the old boats. Yeah. That's basically what it was. That's where dive boats were.

Joe ([00:24:54](#)):

Is that basic-

Roy Hauser ([00:24:55](#)):

They were like the step-child. The red-headed step-child with freckles.

Joe ([00:24:58](#)):

What was the main change? Was it putting a, like a dive- a dive- a dive plat- a dive platform on the back?

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Roy Hauser (00:25:03):

Air compressors, boarding systems, uh, all of the things necessary to accommodate scuba divers.

Joe (00:25:13):

So tell me, you know, what- when you say that you and Fritzler helped build these boats-

Roy Hauser (00:25:20):

No. I rebuilt Mister C from a fishing boat.

Joe (00:25:25):

I'm jumping ahead. So, the second Truth.

Roy Hauser (00:25:27):

The second Truth, the young man, we were running the Mister C. And he came out and his dad, again, is a passenger. Not on the original Truth, as they used to do. But now, on the Mister C. And uh, I recognized. I said "Hey, you want to drive the boat?" You know? He says, "Yeah." So he came up to the wheel and he started driving. I says "This is how you follow a compass. You know, check it, keep your eyes ahead, da da da da." He's 13, no, at that time he was less than that but...he, I said "Gee Whiz, this kid is sharp. And they came out a couple more times on the Mister C. Well, in the meantime, I found- Doctor Garder agreed to finance me in the building of a boat. Now, I have a chance, instead of taking old boats, turning them into a dive boat, actually building a boat. For scuba diving. From the bottom to the top. One guy asked me, as a passenger, he says "What was this boat before it was a dive boat?" I said "It was a tree in the forest."

Joe (00:26:49):

(Laughs)

Roy Hauser (00:26:51):

We put in circulating waters near each exit, so that people could dip their masks. Before, in the old dive boats, you had a bucket of water. We put in a bow exit, so instead of jumping off the side of the boat swimming all up the side trying to get to the anchor line to go down to find the spot, because the spot is where the reef pinnacle comes up. You don't off anchor over here and tell everybody "Go that way. You'll find the reef." You anchor on the spot. Knowing the spot. Now, this is before GPS and all this other crap. You had to have landmarks. You had to know exactly where you were going. I had been told that, and taught that by old captains. I shared that knowledge with a young Glen Fritzler. He worked as a deck hand, as I had. He was 13 years old. Again, in those days, you didn't have to be 16 or 17 years old before you became a deck hand. You yearned- you learned at a young age, you stayed with it, then you were rewarded.

Joe (00:28:09):

So tell me. I'm curious. When you got- when you were having the second Truth built-

Roy Hauser (00:28:13):

Yes.

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Joe ([00:28:14](#)):

From- from the keel beam, all the way up.

Roy Hauser ([00:28:16](#)):

Yes.

Joe ([00:28:17](#)):

Building it the way you wanted it to be-

Roy Hauser ([00:28:18](#)):

Yes.

Joe ([00:28:19](#)):

Your dream of the perfect dive ship.

Roy Hauser ([00:28:21](#)):

Absolutely.

Joe ([00:28:22](#)):

What- what types of things did you and-and Fritzler do to help? In other words, what skills...I mean, were you- do you have carpentry back- I'm just kind of curious. Were you helping with?

Roy Hauser ([00:28:33](#)):

We had a master carpenter.

Joe ([00:28:34](#)):

Okay.

Roy Hauser ([00:28:35](#)):

Mac McCullough. When it came to the engineering of the engine room and how the propellers were going...and how the engine...that was a guy named Rus Harmon. He did that part. I had a guy that uh, did the upholstery work. Earl. He lived in a bus at the time. Great guy. And I took the knowledge of being around the industry for years and I designed- I told them what I wanted. I did all the compressor work and the installation and all of that instrumental in building of the boat. 1973.

Joe ([00:29:23](#)):

And how did Fritzler help you? How-how-what did he-

Roy Hauser ([00:29:25](#)):

He was a young kid. He came over and emptied trash cans, uh learned how to putty. He was great at puttying. I got pictures of him up on a boat when he was 13 years old, puttying the hull. That's all he worked as, is a grunt. A kid. He didn't get paid any money.

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Joe ([00:29:44](#)):

Right. Now, did you do this...now was the- the- The Conception designed or built the same way, by you?

Roy Hauser ([00:29:52](#)):

I designed it. I did not build it.

Joe ([00:29:55](#)):

Okay.

Roy Hauser ([00:29:55](#)):

Glen, uh, we had Bob Stapp, Seaway Boat Company in Long Beach. He is the master carpenter and boat builder. And Seaway was well known. He- he built all the life guards and the rescue boats and stuff. He built lobster boats and- and- and I- and he built sport fishing boats. So, the business had grown so much that we had people knocking on the door to get in, to get more charters. And I said "We can't- the boat's full." So I looked at Glen, and I said "Glen, if this company's going to grow, we need to build another boat. But where we're going to build it is going to be in Long Beach." Glen said "Okay." Now, he's living in Santa Barbara.

Joe ([00:30:59](#)):

So, by this point, you had moved the business north, to Santa Barbara.

Roy Hauser ([00:31:02](#)):

Yes. 1978. May. We came to Santa Barbara full time.

Joe ([00:31:11](#)):

Okay.

Roy Hauser ([00:31:12](#)):

By the end of '79... mid '79 uh, after booking the charters, which I- that was my responsibility. I was nothing more than a booking agent, if you will. I didn't- couldn't run boats. Glen was the captain on the boats in those years.

Joe ([00:31:31](#)):

So, at that point in time, in roughly 1979, how many boats did you have? Just-

Roy Hauser ([00:31:35](#)):

One.

Joe ([00:31:36](#)):

Just the one, okay. All right. And so, even at that point in '79, because of the incident with the bends and your limitations, uh, it's- is it accurate to say that uh, Fritzler was...he was your Limited Master? For the- for the first Truth?

Roy Hauser ([00:31:54](#)):



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Yeah. He uh, oh no, he is the operating arm on the boat.

Joe ([00:31:57](#)):

Okay.

Roy Hauser ([00:31:57](#)):

He made sure the oil got changed. He made sure the crew was on time. Made sure the boat was fueled.

PART 1 OF 6 ENDS [00:32:04]

Roy Hauser ([00:32:03](#)):

... made sure the crew was on time, made sure the boat was fueled, stocked, operated, ran. He was the captain, the master of the vessel.

Joe ([00:32:11](#)):

Do you still have any of the original... Your designs and schematics and stuff from-

Roy Hauser ([00:32:16](#)):

Those things-

Joe ([00:32:16](#)):

... from the Truth?

Roy Hauser ([00:32:16](#)):

... I gave to Glen. He has all of the drawings and the, the OCMI stamp of approval, the Coast Guard-approved drawings, everything. He... Uh, when I got out of the company, when he... 1999. Uh, uh, I gave him all of the drawings, all of the approved plans, all of the things that, uh, had to do with the boats.

Joe ([00:32:51](#)):

Okay. Everything that had to do with the boats. What... Uh, uh, are there any records... Uh, we need, we need to figure this out. So, you know, we have, we have search, s- sf- surf swarts, search warrants in different locations around town.

([00:33:04](#)):

We're trying to make sure we have the complete universe of all the doc-... So what documents, what records from your partnership with Fritzler do you still have? And you're, you're gesturing to...

Roy Hauser ([00:33:15](#)):

This is it.

Joe ([00:33:17](#)):

Okay, this is it. There's about a one-inch-

Roy Hauser ([00:33:20](#)):

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This is-

Joe ([00:33:20](#)):

... one-and-a-half-inch stack of documents.

Roy Hauser ([00:33:20](#)):

... e- ev- everything that I have regarding Truth Aquatics.

Joe ([00:33:23](#)):

Okay. And this... And the boats? Everything.

Roy Hauser ([00:33:24](#)):

And H&F Leasing.

Joe ([00:33:26](#)):

Okay.

Roy Hauser ([00:33:26](#)):

I read the subpoena.

Joe ([00:33:28](#)):

Great.

Roy Hauser ([00:33:28](#)):

This is the only thing I have.

Joe ([00:33:30](#)):

Okay.

Roy Hauser ([00:33:30](#)):

I'm not a hoarder. I, uh... Seriously. The only thing I have is a bunch of photographs.

Joe ([00:33:36](#)):

Okay. Mm-hmm. Which are great memories. And la-

Roy Hauser ([00:33:40](#)):

You know what? It keeps me going.

Joe ([00:33:41](#)):

Yeah. Yeah, I hear you. Well...

Roy Hauser ([00:33:42](#)):

Anyway, this is everything that I have.

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Joe ([00:33:44](#)):

So we can talk about this stuff later.

Roy Hauser ([00:33:47](#)):

Okay.

Joe ([00:33:47](#)):

But we wanted to make sure this is, this is all that you have, as far as records.

Roy Hauser ([00:33:49](#)):

Absolutely.

Joe ([00:33:49](#)):

That's everything that you would have that you could possibly produce for the Grand Jury subpoena, right?

Roy Hauser ([00:33:53](#)):

Absolutely.

Joe ([00:33:54](#)):

Okay. So at the end of the day, to save you the time and then the effort of taking this stuff down to LA, ca-... Is it okay if you turn this over to the agents here, and they can then fill out that you've complied with the document-

Roy Hauser ([00:34:08](#)):

Absolutely.

Joe ([00:34:09](#)):

... subpoena? Great. Okay. All right. So you don't have any other designs, the schematics, none of the, uh, uh, none of the, uh, electrical, uh, harness, uh, schematics, none of that stuff.

Roy Hauser ([00:34:21](#)):

Nothing.

Joe ([00:34:21](#)):

That would all be with Mr. Fritzler and/or... and Truth Aquatics Inc.

Roy Hauser ([00:34:25](#)):

Yes, sir.

Joe ([00:34:27](#)):

All right. Good. That makes it easy. All right. So tell me, then... Let's, let's transition from the second Truth to the Conception that was being built, uh... That was built in Long Beach.

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(00:34:42):

What time of involvement did you and Mr. Fritzler have in the building of that? How often were... I mean, you were running a business up here, so I assume you couldn't get down there too often.

Roy Hauser (00:34:53):

I had always a vision for live-aboard dive boats. We did as much as we could with the Truth. Diving was starting to, again, evolve a little more. People going out for one day was one thing. But we had people coming down from Northern California.

(00:35:16):

There used to be a boat in Santa Barbara here called The Coral Sea, built by Glenn Miller. And people would come down... Uh, Glenn Miller and his operation was, like, "Eh, maybe if I get up in the morning, feel like it, I'll go there."

Speaker 3 (00:35:36):

(laughs).

Roy Hauser (00:35:36):

You know, he was going, like, "Eh." I was more of the Los Angeles kind of a competition because I operated in a competitive area with 20 other boats. Competition. You gotta do a better job than the other guy to get the charters.

(00:35:49):

So when I came up here... Started coming up here part-time, in 1975, I decided, "I'm gonna run a really good operation." But the people coming from Northern California didn't wanna come down here for one day. They drove all this way. They want to come for on a weekend. And so we started going out on multi-day trips, running two-day trips.

Joe (00:36:19):

Did you really have any competition here in Santa Barbara at that time?

Roy Hauser (00:36:23):

Other than Glenn Miller, no.

Joe (00:36:25):

Was... And was Glenn, on The Coral Sea, was he doing multi-day trips or just the once?

Roy Hauser (00:36:29):

Yeah.

Joe (00:36:29):

Okay.

Roy Hauser (00:36:30):

That's all he did.

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Joe ([00:36:31](#)):

Multi-day trips.

Roy Hauser ([00:36:32](#)):

Two-day trips.

Joe ([00:36:33](#)):

So tell me again... Um, you mentioned that kind of the customer... I don't... You didn't use the term customer service, but you... I think you said, like, "the customer experience." What was it that you and, and Fritzler did that separated you guys? What made your customer experience better or different than-

Roy Hauser ([00:36:49](#)):

We-

Joe ([00:36:49](#)):

... what Glenn did.

Roy Hauser ([00:36:49](#)):

... were divers.

Joe ([00:36:49](#)):

Okay.

Roy Hauser ([00:36:53](#)):

We dove with the people. When we would go to a location, we would actually dive the location. We saw what was there. We could relate to their experiences.

([00:37:09](#)):

They got tired of having a cold wetsuit in the morning, so we decided to have, in our stern compartment, where they could hang their wetsuits up, and we put in a fan that took the warm air from the engine room, blew it into the stern compartment and would dry their wetsuits so when they got up in the morning, they had a nice, warm wetsuit to get in instead of a wet, soaky piece of shit.

([00:37:46](#)):

We put fresh water showers on the boat. We accommodated divers. And because of that, the divers and their community of divers responded. And they said, "Wow. If you're gonna go out on a dive boat, and you wanna be taken care of as a diver..." "Built by divers for divers." That was one of the advertising things I used.

Joe ([00:38:20](#)):

Got it. Got it. Smart.

Roy Hauser ([00:38:23](#)):

Custom-built for diving, uh, California Channel Islands. But it was still a one-day boat. And I had so many phone calls, uh, get... Co- coming in. I said, "We need to build another boat."

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(00:38:39):

That's why we went to Long Beach. That's why the Conception was built. We had... I had experienced being on a dive boat anchored up in a very calm... They call it Fish Hook, on San Clemente Island.

(00:38:58):

And I got up one morning at 6 o'clock. We'd get up before the customers do. Cleaning up the galley from the night before 'cause people party.

Joe (00:39:08):

We, we being who? Who gets up?

Roy Hauser (00:39:10):

Me, Glen.

Joe (00:39:11):

Okay.

Roy Hauser (00:39:12):

And I looked over the side, 30 foot of water, crystal-clear. And there was Charmin groupers and... And I said, "Oh, God, that's ugly." So before the customers got up, I pulled the anchor and moved, although it was a beautiful diving spot and we had our night dive there. But by the morning, during the night, everybody getting up, going to the bathroom... No holding tanks in those days, guys.

Speaker 3 (00:39:44):

(laughs).

Joe (00:39:45):

Okay. I get it now.

Roy Hauser (00:39:46):

I said, "Wow."

Joe (00:39:46):

I get it.

Roy Hauser (00:39:47):

So when we built the Conception, I said, "We're putting a holding tank in this boat." And that was before the rules and regulations would require to have a holding tank.

Joe (00:40:01):

So back then-

Roy Hauser (00:40:02):

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The Conception was the very first boat on the Coast of California to have a holding tank. Again, customer service. The business grew. Again, people are coming out on a boat that now was built for overnight stays. I had put curtains on the bunk rooms. Okay? Like the Pullman cars used to have. We put in fans and ventilation. We put in a shower compartment where people could go down and take a shower. And there was a vanity where the girls could comb their hair, put their makeup on, and do...

Speaker 3 ([00:40:45](#)):

Now that-

Roy Hauser ([00:40:45](#)):

Separate-

Speaker 3 ([00:40:46](#)):

Now, now, now-

Roy Hauser ([00:40:46](#)):

... from the bunk room.

Speaker 3 ([00:40:47](#)):

... uh, uh, don't... Y- y- you're bald, so don't give the, the girls a hard time for, for requiring a, a, a, a hair-

Roy Hauser ([00:40:52](#)):

Hey, I was glad to see girls come out.

Speaker 3 ([00:40:54](#)):

(laughs).

Roy Hauser ([00:40:54](#)):

When I started in '56, unless they had a hair p-... Uh, uh, hair under their arms, they didn't dive.

Speaker 3 ([00:40:59](#)):

(laughs).

Joe ([00:41:01](#)):

So let me ask you. So when... Uh, back then, the, the... When you made the joke about the Charmin groupers, I take it that was aboard the Truth, the second Truth?

Roy Hauser ([00:41:09](#)):

Yes.

Joe ([00:41:10](#)):

The second Truth.

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Roy Hauser ([00:41:10](#)):

The first Truth.

Joe ([00:41:13](#)):

The first Truth. Okay.

Roy Hauser ([00:41:13](#)):

No, no, no. Well, the second Truth.

Joe ([00:41:13](#)):

Yeah, the second Truth.

Roy Hauser ([00:41:14](#)):

The first Truth was long gone.

Joe ([00:41:15](#)):

Right.

Roy Hauser ([00:41:16](#)):

That happened in '72.

Joe ([00:41:18](#)):

So, back then, it sounds like you and Mr. Fritzler would, would be out on the second Truth and running these dive... Do you call it a dive charter? What do you call it?

Roy Hauser ([00:41:31](#)):

Yeah, yeah, dive trips.

Joe ([00:41:32](#)):

Okay, dive trip. Did you... Was it just you and, and, and Mr. Fritzler back then, or did you guys also have, uh-

Roy Hauser ([00:41:38](#)):

Oh, I had a second captain.

Joe ([00:41:39](#)):

Okay. And did you have people working in the galley?

Roy Hauser ([00:41:42](#)):

Oh, yeah.

Joe ([00:41:43](#)):

Do you consider the galley... Do you call them galley mates or...



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Roy Hauser (00:41:47):

There was a galley girl.

Joe (00:41:48):

Okay. But do, uh, do you consider the galley maid or the galley girl to be part of the, the deck crew, or is-  
...

Roy Hauser (00:41:55):

No, no, no.

Joe (00:41:56):

Yeah.

Roy Hauser (00:41:56):

Her, her obligation was to make sure the coffee was made and-

Joe (00:41:59):

Okay.

Roy Hauser (00:41:59):

And that was Virginia in those years.

Joe (00:42:03):

Okay.

Roy Hauser (00:42:04):

Rest her soul.

Joe (00:42:06):

Um, and back then, at that time, Mr. Fritzler, he would not have had his Limited Masters License yet, or did he already have it?

Roy Hauser (00:42:15):

No, no, he, he was able to get his captain's license when he was 18. See, when I was run-... The, uh, uh... I had become 21 years old before I got a captain's license.

Joe (00:42:27):

Okay.

Roy Hauser (00:42:27):

Somewhere around 1970... Someth-... '70... I don't know.

Joe (00:42:34):

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Okay.

Roy Hauser (00:42:34):

They changed the r-... Uh, uh, uh, regulation. You could become a captain at 18. So when Glen became 18, he got his captain's license.

Joe (00:42:43):

So let's turn the clock back and... Uh, back when you turned 21, and you got your...

Roy Hauser (00:42:48):

1966.

Joe (00:42:49):

Okay. So in '66, when you got your, back then, I guess, a double, uh, double...

Roy Hauser (00:42:56):

Yeah, the ocean op-

Joe (00:42:56):

007.

Speaker 3 (00:42:56):

007.

Joe (00:42:59):

007. Uh, I keep thinking James Bond. Uh, ocean operator license. Um, this may sound like a dumb question to you 'cause I know you would kind of... Since the age of, what, 11, you'd kind of been living your passion. But what, what formal training... I mean, other than working with, um, your neighbor and then eventually, y- you know, whoever you went to work for, crew for, did you have any formal education? Did you go to a... What do they call them, maritime academies?

Roy Hauser (00:43:28):

I went to, uh, uh, Crawford Nautical School to, uh, study for my license.

Joe (00:43:37):

Would that have been '66 or before that?

Roy Hauser (00:43:40):

Uh-

Joe (00:43:40):

'65?

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Roy Hauser (00:43:40):

'65.

Joe (00:43:42):

Crawford Nautical School.

Roy Hauser (00:43:44):

Yes.

Joe (00:43:44):

Where was that located?

Roy Hauser (00:43:45):

Wilmington.

Joe (00:43:46):

I assume it's now long since gone, then.

Roy Hauser (00:43:48):

Oh, long gone.

Joe (00:43:48):

Yeah.

Roy Hauser (00:43:48):

Oh, yes.

Joe (00:43:49):

Yeah, so back then... Of course, nowadays, people buy the six-hour online course and... Or, you know. What did you have to do back then to, to, to get qualified?

Roy Hauser (00:43:59):

You had to have, uh... Uh, uh, you had to have 1000 days... I think it was... or 10 90... I don't know. I was... In 1966, when I got my license, I had to show that I had, uh, 1000, 1000 days of operation. I had to show the vessel, tonnage, and the area of operation, such as, "This boat operated between, uh, the Mexican border and Point Conception and out 100 miles."

(00:44:52):

And I worked on those boats for the 1000 day, I think, it... I can't remember. It was so long ago. But o- o- once I got my sea time, I had to have that signed off by captains of the boats that I had worked on.

(00:45:11):

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I took that sea time, I went to the Coast Guard's office, and I qualified under the... Uh, uh, I was originally licensed from Point Descanso to Point Conception, 100 miles to sea, because those were the boats that I operated as crew member on.

(00:45:35):

And those captains signed the affidavit, and I took it into the Coast Guard's office. They approved that time. Once they approved that time, then I was allowed to take the test.

Joe (00:45:52):

And what was the te-... What's the text consist of?

Roy Hauser (00:45:54):

The test, it is, uh, uh, rules of the road, weather, maintenance. I mean, yeah, yeah, it was... This is 1966 we're talking about. But anyway, I passed the Coast Guard test from my first exam.

Joe (00:46:13):

Now, did you go to Crawford Nautical School so that you could learn-

Roy Hauser (00:46:17):

Make... Learn the rules of the road-

Joe (00:46:17):

... the reg-, learn the regulations and all of that or...

Roy Hauser (00:46:19):

... red over white, fishing at night, white over red, pilot at night. Right? Red buoy on the right, green buoy on the left. Some of this stuff I still remember, although it's been a long time. I don't have Alzheimer's, just part-timers.

Joe (00:46:34):

(laughs). So back then, was it, was it... Even back then, was it, uh... It was pretty heavy on regulations and things like that?

Roy Hauser (00:46:43):

Oh, absolutely.

Joe (00:46:44):

And so, how would you, how would you study the regulations? Did they... How, how, how was that done back then, as best as you can recall? Did you have to actually look at the, the laws and the regulations yourself?

Roy Hauser (00:46:54):

Yeah, yeah, yeah.

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Joe ([00:46:54](#)):

Okay.

Roy Hauser ([00:46:56](#)):

And af-, and after, having been involved in, uh, uh, in the business for so long, I knew and was certain of the regulations.

Joe ([00:47:07](#)):

Right.

Roy Hauser ([00:47:08](#)):

I mean, when the Coast Guard would come down to do the vessel inspection, I, uh, 18, 19 years old, I had the life jackets out, I had the fire extinguishers out, I had everything ready, the flares, the night flares, the horn. Everything that was required, I knew that what was gonna be required, I had out and in place, ready for the Coast Guard inspection.

Joe ([00:47:39](#)):

So let me ask you kind of a gotcha question 'cause, you know, in this day and age, you know, um, I think a lot of people think that there's too much government regulation that, um, sometimes it's, it's difficult to be a small business owner because, uh, this... Uh, you know, local regulation, state regulations, federal regulations.

([00:47:57](#)):

Ho- how did you feel about... You know, back in '65, '66, when you were first getting your 007 ocean operator's license, and, and you were, you w-, you were learning this trade that would go on to become these businesses, how did you feel about the regulations? Did you think they were kinda BS and something-

Roy Hauser ([00:48:16](#)):

Not at all.

Joe ([00:48:17](#)):

Wha-... Okay. Tell me about that.

Roy Hauser ([00:48:20](#)):

Well, let's see. How can I tell you about that? Other than the fact that if you didn't-

Joe ([00:48:27](#)):

And the reason I'm asking is I'm trying to understand. You've been in this industry for decades, and I, I'm trying to understand. These guys are, are, are coasties, but I'm new to this. I'm news... New to the Coast Guard, and then these regulati-... I've never looked at these regulations in my life.

([00:48:41](#)):

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I'm trying to understand what the dive ship industry thinks about these regulations. Do they think that the regulations are useless, just overburdensome and something that's not necessary? Or is this like the rules of the road? This is the type of stuff that-

Roy Hauser ([00:48:54](#)):

I never felt that way.

Joe ([00:48:56](#)):

I see. Okay. Tell me how you felt about it.

Roy Hauser ([00:48:59](#)):

I felt that you had to be sure that the vessel was up to Coast Guard rules and regulations, that that was the way it is.

Joe ([00:49:09](#)):

Okay.

Roy Hauser ([00:49:09](#)):

You wanna keep a license, run it.

Joe ([00:49:13](#)):

So there was never any question in your mind about-

Roy Hauser ([00:49:15](#)):

Never.

Joe ([00:49:16](#)):

... about complying with the rules-

Roy Hauser ([00:49:18](#)):

Never.

Joe ([00:49:18](#)):

... complying with the regulations.

Roy Hauser ([00:49:19](#)):

Never.

Joe ([00:49:20](#)):

That was something you did.

Roy Hauser ([00:49:21](#)):

I grew up in the business.

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Joe ([00:49:26](#)):

Okay. And, and it sounds like Glen kinda grew up in the business with you and your... And Truth Aquatics.

Roy Hauser ([00:49:30](#)):

Uh, uh, kinda.

Joe ([00:49:32](#)):

He did.

Roy Hauser ([00:49:33](#)):

He did.

Speaker 3 ([00:49:33](#)):

(laughs).

Joe ([00:49:33](#)):

A- and how did you teach him? Did you teach that same level of compliance that-

Roy Hauser ([00:49:38](#)):

That's the reason the boats are so well-maintained, the reason that they are... The reputation that is there... I haven't been involved... Uh, uh, it's been 20... 22 years. And that business has continued under even the worst of conditions. Where the housing market, everything has gone down. Glen has run such a straightforward class operation that it is still, to th-... It is recognized as the best.

Joe ([00:50:12](#)):

What would you say if there were lawyers out there, people out there, saying that, you know, "Guys like you and Fritzler... Great customer experience. these are scuba divers running s-... Dive ships for scuba divers. But these are guys that don't really give a crap about the regulations. They-

Roy Hauser ([00:50:34](#)):

(laughs). I have got to laugh at that.

Joe ([00:50:41](#)):

Well...

Roy Hauser ([00:50:42](#)):

Because Glen Fritzler has done more to comply with the Coast Guard and work with the Coast Guard... And I think that you guys looked through your A35s. Those boats are on top of it.

Joe ([00:51:01](#)):

What would you say if... About people saying that, you know, "You may maintain the boats great, but you guys, you know, you guys don't know what the regulations are. Uh, you just, you know... Just..."? I, I

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mean, do, do you feel that is a bunch of baloney? I mean, do you feel that you and, and Mr. Fritzler know the regulations and, and the rules?

Roy Hauser ([00:51:21](#)):

Absolutely.

Joe ([00:51:23](#)):

Passenger safety, operational safety?

Roy Hauser ([00:51:26](#)):

Yeah.

Joe ([00:51:27](#)):

Okay. And, and you would know that about yourself, obviously, but how, how can you say you know that for Mr. Fritzler? How do you know that he knows what the heck the rules and the regulations are?

Roy Hauser ([00:51:45](#)):

Um, (laughs), uh, h- how would I know?

Joe ([00:51:56](#)):

Yeah.

Roy Hauser ([00:51:58](#)):

I just know Glen. I know that he runs a tight ship. I don't know what else... Uh, how do I... I mean, I don't... I only, uh, live a mile and a half away from the man.

Joe ([00:52:14](#)):

Well, for example... I mean, if, if you didn't know the, the, the regulations that apply to small passenger vessels before you got your, your Masters License, do you feel that studying for that and, and, and going to the Crawford Nautical School or an equivalent maritime academy, you'd learn the regulations that apply to these types of small passenger vessels? Is that fair to say?

Roy Hauser ([00:52:36](#)):

Absolutely.

Joe ([00:52:37](#)):

Okay. A- a- and that's kind of the design of the whole licensing system, right?

Roy Hauser ([00:52:41](#)):

Yes.

Joe ([00:52:43](#)):

Okay. So it sounds like it's successful. At least Coast Guard's doing that right. Okay?



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Roy Hauser (00:52:45):

Mm-hmm.

Joe (00:52:46):

Um, how about... Do you know this guy, uh, Captain Jerry Boylan? Did, did you-

Roy Hauser (00:52:50):

Absolutely.

Joe (00:52:50):

Oh-

Roy Hauser (00:52:50):

30 years.

Joe (00:52:52):

Okay. How, how is it that you've known him? Did, did he originally work for you?

Roy Hauser (00:52:56):

No. He originally was working at the Santa Barbara Sailing Center. And, uh, I would go down and rent a small 21-foot Victory from him. In my second life, Jenny and I would go out sailing. And Jerry was a dockmaster. And-

Joe (00:53:16):

What does that mean?

Roy Hauser (00:53:18):

Well, he would make sure that I, as a customer on a sailboat... And again, I was a lot more physical in those years. Was that I got off my wheel-... Out of my wheelchair onto the boat. He was sure that I got in there safely. And, you know, I showed him that I could sail the 19-foot boat. We went out sailing and... Outside the harbor. And we did that for quite... You know, over a year.

(00:53:46):

And, uh, one day, I came in, and I said, "Jerry, if you ever want a job on one of the dive boats, let me know."

Joe (00:53:56):

And-

Roy Hauser (00:53:56):

'Cause he was so personable, and he was so... Made sure I was... Because I was in a wheelchair. I got on and off the boat safely, I got into my wheelchair and... And he was just so caring. So I said, "Hey, any day..." Uh, uh, uh, it was an English couple in those years that owned the Sailing Center.

(00:54:20):

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And, uh, Jerry finally one day showed up over to, uh, uh, uh... Called me, I think. I, I forget how it was, but one day, anyway, he asked if, uh, that job opportunity was still available. I said, "Absolutely."

Joe ([00:54:36](#)):

So it sounds like you felt like he would be a good fit for the company for the customer experience-

Roy Hauser ([00:54:39](#)):

Yes, sir.

Joe ([00:54:39](#)):

... that, that Truth Aquatics-

Roy Hauser ([00:54:39](#)):

Yes, sir.

Joe ([00:54:42](#)):

... required. Okay. So he was good to you, so you felt he'd be good at... Good with the divers and-

Roy Hauser ([00:54:46](#)):

Absolutely.

Joe ([00:54:48](#)):

... customers. Got it. At that time, when he was the dockmaster for Santa Barbara Sailing Center, do you know if he had any Coast Guard credentials?

Roy Hauser ([00:54:56](#)):

No.

Joe ([00:54:57](#)):

Okay. You don't know, or he did not?

Roy Hauser ([00:54:59](#)):

I don't know.

Joe ([00:55:00](#)):

Yeah. Okay.

Roy Hauser ([00:55:01](#)):

I, I, I don't believe so.

Joe ([00:55:02](#)):

Now, when he came to work for you, when would that have been, roughly? Do you remember approximately?

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Roy Hauser ([00:55:08](#)):

Oh.

Joe ([00:55:08](#)):

And you've got a mind like a steel trap.

Speaker 3 ([00:55:10](#)):

(laughs).

Joe ([00:55:10](#)):

I'm already, I'm already impressed with everything.

Speaker 3 ([00:55:11](#)):

Yeah.

Roy Hauser ([00:55:11](#)):

Okay. Thad would've had to have been... Jenny and I were still married, so that would've been... I'm gonna guess, '81? That's a guess. '81.

Joe ([00:55:27](#)):

So about the time that Conception was being built.

Roy Hauser ([00:55:30](#)):

Yeah, yeah, yeah. Well... Oh, wait a minute. Yeah, he, he, he started working after the Conception was built, so that would, uh, p- probably be... Yeah, '81, '81, '82.

Joe ([00:55:50](#)):

Okay. So when Jerry went to work for, for you... That would've been going to work for you and F-

Roy Hauser ([00:55:57](#)):

Well, he went to work... No, no. I asked him, would he like to work on the boats?

Joe ([00:56:05](#)):

Okay.

Roy Hauser ([00:56:06](#)):

Then he had to go up... We had what they call deadheads. If you wanna work on the boat, you were given an opportunity-

Joe ([00:56:17](#)):

This is-

Roy Hauser ([00:56:17](#)):

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... which comes disguised as hard work.

Speaker 3 ([00:56:19](#)):

(laughs).

Roy Hauser ([00:56:20](#)):

The deadhead comes out, doesn't get paid, we feed him, he works with the crew, he's given the tasks of emptying and cleaning the toilet bowls and doing this and doing that. And the rest of the crew, they see how he fits in, and then, the captain of the vessel, the master of the vessel, recognizes that, "This person is going to be a good fit."

([00:56:46](#)):

Then but only then, is he hired. He is a deadhead first. This is like training camp in football. You make training camp, that doesn't mean you're gonna make the team. Jerry was a great fit in, everybody loved him, and he was hired by the captain of the vessel.

Joe ([00:57:07](#)):

Which would've been who at that point?

Roy Hauser ([00:57:11](#)):

Well, Glen because he now was on the, uh, Conception.

Joe ([00:57:15](#)):

Okay. Was Gle-

Roy Hauser ([00:57:15](#)):

He, he-

Joe ([00:57:16](#)):

Was, was, was Glen the first master or captain on the Conception?

Roy Hauser ([00:57:21](#)):

No. Mark Pittman, after my absence.

Joe ([00:57:25](#)):

Okay. How soon after the Conception was built do you recall Glen Fritzler becoming the captain?

Roy Hauser ([00:57:34](#)):

Immediately.

Joe ([00:57:39](#)):

Okay. And so it sounds like Jerry Boylan would've been deadheading and then initially working for Glen Fritzler?

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Roy Hauser (00:57:48):

Yes, sir.

Joe (00:57:48):

Aboard the Conception?

Roy Hauser (00:57:50):

Yes.

Joe (00:57:53):

Do you recall how long... How much time went by before Jerry Boylan obtained his Masters License?

Roy Hauser (00:58:02):

Mm-mm.

Joe (00:58:02):

Was it, was it, like, decades, or was it just a period of, of years?

Roy Hauser (00:58:14):

Oh, God. Uh...

Joe (00:58:14):

And I'm more interested in how long he served as a deckhand.

Roy Hauser (00:58:17):

Oh, he was on the boat for at least a couple of years. I mean, it, uh, uh, um... He... Gee, I don't know.

Joe (00:58:27):

Okay. Well, we've got the... We can look all that stuff up.

Roy Hauser (00:58:30):

Yeah. I, I, I just don't know. I, I know that Jerry worked first as a deadhead, then everybody liked him, then he got hired as a deckhand. Then he moved up, he got his, he got his sea time in. And once he got his sea time in, took his Coast Guard test, got his captain's license and... Uh, uh, anyway, that, that's the progression.

Joe (00:58:55):

And would you say that, uh, Jerry Boylan is, is the same type of... He's kind of cut from the same cloth as you and Mr. Fritzler in the sense that he's not ignorant of the rules and the regulations. He, uh, you know, he pays attention to the rules and requirements and regulations, just like you and Mr. Fritzler have?

Roy Hauser (00:59:15):

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Well, Glen and I (laughs) joked about this a couple of years ago. Said, "We'd like to clone Jerry (laughs), get a couple more captains like him."

Joe ([00:59:23](#)):

And why? Tell me why. I mean, obviously, that means-

Roy Hauser ([00:59:26](#)):

Because he's so-

Joe ([00:59:26](#)):

... he's good.

Roy Hauser ([00:59:27](#)):

... attentive to duty.

Joe ([00:59:29](#)):

And what does that mean, to be "attentive to duty"? Look, I'm not a sail-

Roy Hauser ([00:59:32](#)):

To make...

Joe ([00:59:32](#)):

Uh, I mean, I, I-

Roy Hauser ([00:59:33](#)):

Well-

Joe ([00:59:33](#)):

I don't know anything about boats.

Roy Hauser ([00:59:34](#)):

To make sure the vessel is in top condition, that people are on time, that boat is run and cleaned properly. I mean, he just is attentive. He's there on time, doesn't fail to show up, doesn't allow drugs... Like, any of this stuff. That's why we used to joke, "Wish we could clone (laughs) Jerry."

Joe ([01:00:05](#)):

And where do... Do you consider passenger safety regulations or operational safety regulations... Do you consider those to be part of r-, you know, running a boat well and being attentive to duty?

Roy Hauser ([01:00:21](#)):

Well, I always have.

Joe ([01:00:22](#)):

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Okay, so the answer's yes.

Roy Hauser ([01:00:24](#)):

Yes.

Joe ([01:00:25](#)):

Okay. Um, you wouldn't consi-

Roy Hauser ([01:00:28](#)):

You have to understand now, 22 years, I haven't been involved with Truth Aquatics other than I'm still authorized to sign checks in Glen's absence, if he goes on vacation, or if Dana's out of... I still have the autoriz-... I can spend the money. I just can't make it.

Joe ([01:00:51](#)):

Do you... Uh, we may as well talk about this now. Do you still have any financial relationship with Glen and Dana Fritzler at-

Roy Hauser ([01:01:03](#)):

None whatsoever.

Joe ([01:01:04](#)):

... Truth Aquatics? Do they pay you 600 bucks a month for-

Roy Hauser ([01:01:06](#)):

Uh, for-

Joe ([01:01:06](#)):

... storage or...

Roy Hauser ([01:01:07](#)):

Yes.

Joe ([01:01:07](#)):

Okay.

Roy Hauser ([01:01:08](#)):

Yes, yes.

Joe ([01:01:09](#)):

Do-

Roy Hauser ([01:01:09](#)):

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The company anchor chain, uh, paint supplies, uh, oil, things that the vessel needs, yes, they pay me a monthly, uh, rental for my garage and the storage yard on the far side of my house.

Joe ([01:01:26](#)):

Right here at this property?

Roy Hauser ([01:01:27](#)):

Yes.

Joe ([01:01:28](#)):

Okay. So you help... You actually keep some of the daily, weekly, monthly inventory, supplies that they need to keep-

Roy Hauser ([01:01:35](#)):

S-... Yeah, anchors. Uh, do you wanna come over and see it?

Joe ([01:01:39](#)):

If you don't mind. Is that okay, guys?

Roy Hauser ([01:01:40](#)):

Great.

Speaker 3 ([01:01:40](#)):

Absolutely.

Speaker 4 ([01:01:40](#)):

Yeah.

Speaker 3 ([01:01:41](#)):

Yeah.

Roy Hauser ([01:01:41](#)):

Let's go.

Joe ([01:01:42](#)):

Do you mind if I hit the restroom?

Roy Hauser ([01:01:47](#)):

No, you can go right in.

Joe ([01:01:47](#)):

Okay, I'll meet you-



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Roy Hauser ([01:01:47](#)):

Just don't pee-

Joe ([01:01:47](#)):

Should I lock this one?

Roy Hauser ([01:01:47](#)):

Just don't pee on the floor.

Speaker 4 ([01:01:47](#)):

(laughs).

Joe ([01:01:47](#)):

Do I have to lift the... Okay.

Roy Hauser ([01:01:48](#)):

Oh, yeah. We'll let you go first.

Joe ([01:01:49](#)):

Thank you, sir.

Roy Hauser ([01:01:49](#)):

Then we'll show you the anchor chain.

Speaker 4 ([01:01:49](#)):

You can go.

Roy Hauser ([01:01:49](#)):

I'm running out.

Speaker 4 ([01:01:49](#)):

We can wait.

Roy Hauser ([01:01:49](#)):

Huh?

Joe ([01:01:49](#)):

Left or right?

Roy Hauser ([01:01:49](#)):

Right hand-side.

Joe ([01:01:49](#)):

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Top?

Roy Hauser ([01:01:49](#)):

First floor. It's open.

Joe ([01:01:49](#)):

There's a [inaudible 01:02:02].

Roy Hauser ([01:01:49](#)):

Come on out, guys. Enjoy the afternoon.

Speaker 3 ([01:01:49](#)):

Already?

Roy Hauser ([01:02:02](#)):

Never been this fucking heartbroken in my life. Here's this one picture of me and Glen. 1972.

Speaker 3 ([01:02:04](#)):

Oh, wow.

Roy Hauser ([01:02:13](#)):

That side of Can Leon.

Speaker 3 ([01:02:14](#)):

It's a great picture.

Speaker 4 ([01:02:21](#)):

Looks like you got a little bit of halibut there.

Roy Hauser ([01:02:50](#)):

Yeah.

Speaker 3 ([01:02:50](#)):

That's you and Glen-

Roy Hauser ([01:02:51](#)):

Here', here's-

Speaker 3 ([01:02:51](#)):

... there, you said there, Roy?

Roy Hauser ([01:02:52](#)):

Here's a picture of him when he was working on the boats.

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Speaker 4 ([01:03:01](#)):

He was only a kid.

Roy Hauser ([01:03:01](#)):

Back when he 13 years old.

Speaker 4 ([01:03:03](#)):

Oh, I told him about these up here putties.

Speaker 3 ([01:03:05](#)):

Oh, wow.

Speaker 4 ([01:03:06](#)):

[inaudible 01:03:08].

Roy Hauser ([01:03:08](#)):

This is my fruit of life. And it's ruined. It was ruined.

Joe ([01:03:12](#)):

Why do you say that? This isn't on you, what happened.

Roy Hauser ([01:03:19](#)):

Well, I have no idea what is on anybody. People died, for Christ's sakes. They come out on the boat to have a good time and a dive, and have the fucking dive...

Joe ([01:03:24](#)):

It's not on you.

Roy Hauser ([01:03:24](#)):

Then they were dead.

Joe ([01:03:24](#)):

It's not on you, Mr. Hauser.

Speaker 3 ([01:03:24](#)):

Some of them already has the answer to [inaudible 01:03:37], right?

Roy Hauser ([01:03:24](#)):

[inaudible 01:03:38], now they're dead. Oh, God.

Joe ([01:03:43](#)):

Sir, this stuff, it's not on you, what happened.

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Speaker 3 ([01:03:47](#)):

Son of a bitch.

Joe ([01:03:50](#)):

That's a lot of chain.

Speaker 4 ([01:03:51](#)):

Got a lot of spare props.

Joe ([01:03:55](#)):

Damn. I can make some good knives out of that.

Speaker 4 ([01:03:57](#)):

Yeah, there's plenty of chain.

Joe ([01:04:01](#)):

It's good steel.

Speaker 4 ([01:04:01](#)):

It's like...

Joe ([01:04:01](#)):

Okay.

Speaker 4 ([01:04:02](#)):

This is a lot of-

PART 2 OF 6 ENDS [01:04:04]

Joe ([01:04:03](#)):

It's good sailing. Okay.

Roy Hauser ([01:04:03](#)):

It's a lot of...

Joe ([01:04:04](#)):

Like dive equipment and some...

Speaker 5 ([01:04:07](#)):

We have, uh, engine-

Joe ([01:04:08](#)):

And so do the-

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Speaker 5 ([01:04:09](#)):

... parts.

Joe ([01:04:16](#)):

[inaudible 01:04:10] propellers.

Speaker 6 ([01:04:22](#)):

[inaudible 01:04:22] call you back, leave a name and number. (Beep).

Speaker 5 ([01:04:36](#)):

Are we following you, Mr. Howell?

Roy Hauser ([01:04:37](#)):

Well, if you wanna see the paint storage, yeah.

Speaker 5 ([01:04:39](#)):

All righty. Definitely.

Joe ([01:04:41](#)):

And you said you had some more in the garage?

Roy Hauser ([01:05:13](#)):

Yeah. [inaudible 01:05:14].

Joe ([01:05:13](#)):

So how long have you lived here?

Roy Hauser ([01:05:13](#)):

Since 1988.

([01:05:13](#)):

On the far right-hand side in the upper corner is where he stores paints. There's air compressors, uh, that-

Joe ([01:05:23](#)):

All this back here?

Roy Hauser ([01:05:24](#)):

Yeah, uh, yeah. Air compressors, paint storage up there. There's extra life jackets, rain buoys, that are stored up here.

Joe ([01:05:37](#)):

Oh, I see them up top.

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Roy Hauser ([01:05:41](#)):

Up above. That's, that's the storage up there. There's another air compressor over here in the far corner. And he stores that in my garage.

Joe ([01:05:50](#)):

How often does he, did he-

Roy Hauser ([01:05:53](#)):

Well, yeah-

Joe ([01:05:54](#)):

... [inaudible 01:05:55].

Roy Hauser ([01:05:54](#)):

... but, well, about a year or two you get out of an air compressor, then you have to ch-, rebuild one, bring it over here, it's rebuilt-

Joe ([01:06:02](#)):

Uh-huh.

Roy Hauser ([01:06:03](#)):

... so when one starts to show it doesn't fill up a tank in the, in the time that it should-

Joe ([01:06:08](#)):

Right.

Roy Hauser ([01:06:10](#)):

... it means your, it's, it's wearing, so you pull your compressor off the boat, come up here, get a new one, put it on, take the other one, get it rebuilt, bring it back. You rotate them.

Joe ([01:06:21](#)):

I see. That makes sense.

Roy Hauser ([01:06:23](#)):

Well, it's the only way to have a successful operation.

Joe ([01:06:26](#)):

And keep it running.

Speaker 5 ([01:06:27](#)):

So how often would they all, uh, work outta your garage, more or less, Roy?

Roy Hauser ([01:06:31](#)):

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Oh, Arley comes up here [inaudible 01:06:33], hardly at all.

Speaker 5 ([01:06:36](#)):

Oh, okay.

Roy Hauser ([01:06:36](#)):

The only time he comes up here is when he needs some paint-

Speaker 5 ([01:06:40](#)):

Yeah.

Roy Hauser ([01:06:40](#)):

... or he needs an air compressor.

Speaker 5 ([01:06:41](#)):

Oh, okay.

Joe ([01:06:42](#)):

Or does he send some of his employees up here, or...

Roy Hauser ([01:06:44](#)):

Yeah.

Joe ([01:06:44](#)):

Okay.

Roy Hauser ([01:06:45](#)):

Yeah, they come up here to deliver a anchor chain.

Speaker 5 ([01:06:48](#)):

Mm-hmm.

Joe ([01:06:48](#)):

Uh-huh.

Roy Hauser ([01:06:49](#)):

Take the good stuff off, put the bad stuff back.

Speaker 5 ([01:06:53](#)):

Gotcha.

Joe ([01:06:53](#)):

Are you still a Raiders' fan? (laughs).

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Roy Hauser ([01:06:56](#)):

Absolutely.

Joe ([01:06:57](#)):

Yeah. (Laughs).

Speaker 5 ([01:06:58](#)):

Yeah, we couldn't tell.

Roy Hauser ([01:06:58](#)):

If they can get to 500, I'll be happy.

Speaker 5 ([01:07:00](#)):

Yeah.

Joe ([01:07:00](#)):

I wish Al Davis would come back.

Roy Hauser ([01:07:06](#)):

Well, I don't know about that. I think he was more of a detriment at the end.

Joe ([01:07:07](#)):

In the latter years, yeah, for sure.

Roy Hauser ([01:07:10](#)):

Kinda like me.

Joe ([01:07:44](#)):

But I'm like, you know, [inaudible 01:07:17].

([01:07:44](#)):

[inaudible 01:07:44]. You said that just the \$600 was the...

Roy Hauser ([01:07:47](#)):

He pays me \$650 a month...

Joe ([01:07:51](#)):

Okay, for the-

Roy Hauser ([01:07:51](#)):

For the use of the garage and the storage area.

Joe ([01:07:54](#)):



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Okay, got it. Thanks for showing us-

Speaker 5 ([01:07:56](#)):

We'll take you up on closing certain, just [inaudible 01:07:58]-

Roy Hauser ([01:07:58](#)):

No, absolutely. Whatever you need. [inaudible 01:08:04].

Speaker 5 ([01:08:07](#)):

Thought it'd be all right, but it's a little warm.

Joe ([01:08:14](#)):

Yep, [inaudible 01:08:14].

Roy Hauser ([01:08:14](#)):

There's a little light on the [inaudible 01:08:23].

Joe ([01:08:31](#)):

Appreciate it. So we've talked about your, sort of y- your training and, and formal education that, that help to qualify you for your initial [inaudible 01:08:45] ocean operator and then your later, your, your limited master. D- do you know what type of, you know, beyond the experience working directly with you, do you know what training and education that Glen Fritzler obtained, uh, t- to qualify him for his limited master license? Do you know if he did... Did he go the same route as you? Did he go to a maritime academy or a nautical school?

Roy Hauser ([01:09:14](#)):

I do not know.

Joe ([01:09:15](#)):

Well, he would've... He obtained his license when he was working for you, correct?

Roy Hauser ([01:09:21](#)):

Yes.

Joe ([01:09:21](#)):

Okay.

Roy Hauser ([01:09:22](#)):

But he was a lot better student than I was.

Joe ([01:09:27](#)):

Um, and do you know, uh, Captain Boylan, do you know if he went to a, uh, maritime academy-

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Roy Hauser (01:09:33):

No, I do not.

Joe (01:09:35):

Okay. But he did, he, he, he had to go through the same testing process to qualify to get his limited master license that you did.

Roy Hauser (01:09:42):

Yes.

Joe (01:09:43):

So, he would've had to have learned the regulations, the rules of navigation, the rules of the road, passenger safety, operational safety, all that stuff-

Roy Hauser (01:09:50):

Yes.

Joe (01:09:52):

And, you know, once you get, once you get that license, I think you said you have to re-qualify, it's every five years?

Roy Hauser (01:09:59):

Yes.

Joe (01:10:00):

Do you have to take another test like a- at the California Department of Motor Vehicles every five years?

Roy Hauser (01:10:05):

In the, the rules of the road, I believe you still have to.

Joe (01:10:11):

Okay. Do you know if they test you on regulations and things like that, like passenger safety and...

Roy Hauser (01:10:16):

I'm not familiar with the rules now.

Joe (01:10:20):

Okay.

Roy Hauser (01:10:20):

You know.

Joe (01:10:23):

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But that's just been 22 years since you last actively doing this, right?

Roy Hauser ([01:10:26](#)):

Longer than that (laughs).

Joe ([01:10:28](#)):

Okay.

Roy Hauser ([01:10:28](#)):

Uh, 1978, January is when I ceased to become a captain, and I have not taken any tests or any formal Coast Guard anything, 'cause I'm not licensed.

Joe ([01:10:43](#)):

Got it. Do you feel like you've... 'Cause I may need to ask you some questions about that later, do you feel like you've forgotten the, the knowledge that you once had, or do you still feel like you are fairly conversant with the types of safe-, passenger safety procedures and, and vessel, you know, operational safety procedures, or do you think you've ou-, you've forgotten all that stuff?

Roy Hauser ([01:11:08](#)):

I haven't forgotten, I don't believe.

Joe ([01:11:09](#)):

Okay. All right, well, well, when we get to it, we can talk about it. Um, so, we, we had started to talk about, uh, the operation of, of Truth Aquatics Incorporated. And I'm just gonna refer to it as Truth Aquatics, the, the company. When, do you remember when you first incorporated that company?

Roy Hauser ([01:11:31](#)):

1974.

Joe ([01:11:37](#)):

And at that time, how many vessels? Just the Second Truth?

Roy Hauser ([01:11:41](#)):

Just the Truth.

Joe ([01:11:44](#)):

Do you recall roughly how many employees you would've had at that time on the payroll?

Roy Hauser ([01:11:49](#)):

Four.

Joe ([01:11:49](#)):

Okay, so just, s- so four in addition to yourself, four additional crew members?

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Roy Hauser ([01:11:55](#)):

Yes.

Joe ([01:11:56](#)):

And would one of those have been a galley girl or a galley mate?

Roy Hauser ([01:11:59](#)):

Yes.

Joe ([01:11:59](#)):

Okay. So you literally only employed the people you needed on the Second Truth?

Roy Hauser ([01:12:05](#)):

Yes.

Joe ([01:12:07](#)):

And so then when you added the, the Conception to the fleet, you would've been added however many, whatever that proper complement of crew would've been f-

Roy Hauser ([01:12:16](#)):

Yes.

Joe ([01:12:16](#)):

... for Conception, they would've become employees of Truth Aquatics?

Roy Hauser ([01:12:20](#)):

Yes.

Joe ([01:12:25](#)):

Okay. H- how do you determine the size of the crew for each boat? Is it based on the, the vessel's Coast Guard certificate of inspection, which sets forth the complement?

Roy Hauser ([01:12:37](#)):

Yes.

Joe ([01:12:38](#)):

Okay, and you, you obviously, you comply with that?

Roy Hauser ([01:12:41](#)):

Yes.

Joe ([01:12:42](#)):

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Did you ever, did you employ more people on the, on the boats than were called for by the, the certificate of inspection?

Roy Hauser ([01:12:51](#)):

No.

Joe ([01:12:53](#)):

Did you feel that you ever needed more people than, than what the, the complement called for on the certificate of inspection?

Roy Hauser ([01:13:00](#)):

No.

Joe ([01:13:02](#)):

T-, so, so tell, I mean, help me understand, because I, you know, other than being on sailboats and being on a, a cruise once, which really didn't twirl my propeller, I haven't spent a lot of time on boats, so tell me with, you know, looking back at, at the Second Truth and looking at the Conception in your mind's eye, y- you got four crew members on, on the Second Truth. How many crew members were on the Conception? If you remember.

Roy Hauser ([01:13:35](#)):

Captain, second captain, galley, first deck, second deck, five.

Joe ([01:13:39](#)):

Okay, so four on the Second Truth, five on the Conception. Give us an understanding of what their roles, uh, what their jobs were, on the typical multi-day dive, dive tour. So the four people on the Second Truth, or the five people on the Conception, give us a sense of what those people would've been doing throughout maybe just a typical, you know, one single average day. What would their, what would they've been doing?

Roy Hauser ([01:14:05](#)):

The captain...

Joe ([01:14:06](#)):

Okay.

Roy Hauser ([01:14:07](#)):

... he picks the locations and works with the dive master or the group leader, whatever they want, what they wanna do, they wanna go here, they wanna go there. Uh, the second captain-

Joe ([01:14:22](#)):

And the dive master is with the group that charters-

Roy Hauser ([01:14:24](#)):

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Yes.

Joe ([01:14:25](#)):

... chartered the boat. Not your employee, okay.

Roy Hauser ([01:14:26](#)):

Right.

Joe ([01:14:27](#)):

Right.

Roy Hauser ([01:14:28](#)):

The second captain fulfills the obligation that the first captain can't be on duty more than 12 hours in a day.

Joe ([01:14:36](#)):

So how do they break that up?

Roy Hauser ([01:14:38](#)):

That's between the captain and the second captain. How they work that out is between the captain of the vessel and his alternate. If he says, "Okay, I'm gonna take the boat for the first three hours. You take it for the second three hours. Now we're at the island and we start the operation, blah, blah, blah."

Joe ([01:15:02](#)):

And when're they off? I, wh- when, when are both of those, wh- when is the first captain and the second captain off?

Roy Hauser ([01:15:07](#)):

That is up to the captains on the vessel.

Joe ([01:15:10](#)):

Okay. So then how about, uh, uh, the galley mate or the galley girl? What is, what would that person's responsibilities and duties be like?

Roy Hauser ([01:15:17](#)):

They ensure that the galley has the supplies that are needed. You need two dozen eggs, you need, uh, a pound of coffee, you need how many, how many guests are we having, so do we have enough steaks or do we have enough, uh, uh, chicken, uh, or what do you call it, those little guinea hens or wh- whatever they are. She, she sets the menu.

Joe ([01:15:48](#)):

Okay.

Roy Hauser ([01:15:49](#)):

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And she will sometimes work in direct contact with the charter group. "Oh, I got a lot of vegetarians on this trip." Okay, so we're gonna have a vegetarian dinner or we're gonna have a fish dinner or... She sets the menu working with the group who charters the boat.

Joe ([01:16:10](#)):

Does the galley mate or the galley girl, the galley guy, do they have any responsibilities or duties or passenger safety or vessel operational safety?

Roy Hauser ([01:16:22](#)):

Absolutely.

Joe ([01:16:23](#)):

Like what?

Roy Hauser ([01:16:24](#)):

Like knowing where the fire extinguishers are.

Joe ([01:16:27](#)):

And is that because of-

Roy Hauser ([01:16:29](#)):

Knowing where the life jackets are. When these people come aboard, as, as I told you, a deadhead, then they become a crewman, they have to become familiar with the operation of the vessel. And that has always been the case. That is never, as far as I know, deviated.

Joe ([01:16:54](#)):

Okay. What then would be the, the, the typical responsibilities of a deckhand in a 24-hour period on one of these multi-day-

Roy Hauser ([01:17:04](#)):

Same situation. Taking care of the vessel, making sure that everything is in order. If the anchor is dragging, tell the captain, "I think the anchor's dragging."

Joe ([01:17:17](#)):

Are they... Do, d- do the, do the two deckhands split shift, one is on for, you know, in sort of the same 12 hours on, 12 hours off?

Roy Hauser ([01:17:28](#)):

Well, we allowed, I allowed, when I was running the boat, the crew to dive. But never more than one crewman in the water at a time.

Joe ([01:17:43](#)):

And what would be the purpose of that?

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Roy Hauser ([01:17:45](#)):

Because you work on a dive boat. If you can't dive and you work on a dive boat, why are you working on a dive boat?

Joe ([01:17:52](#)):

I, I understand-

Roy Hauser ([01:17:58](#)):

That's, no, that had come up when I was a deckhand. I had a group, well, I... George Edwards had a group of people, Santa Monica Bluefins, they came up to him and they said, "We don't want Roy to dive." In those days it was one deckhand, one captain. We had a capacity maximum of 15 passengers on the boat. But George knowing how I loved to dive would allow me to make a dive. And I was pretty good at catching lobsters. And this one guy who was a group leader became very pissed because I caught more lobsters than he did. So he came to George Edwards, and he said, "We don't want Roy to dive anymore."

Joe ([01:18:49](#)):

Well, you're making him look bad.

Speaker 5 ([01:18:51](#)):

(Laughs).

Roy Hauser ([01:18:51](#)):

Well, George said, "Come here," and I went up to him. This is a flyer, this is a 38-foot boat, the new long fin. He says, "Roy, Gary," guy's name is Gary Lather, I'll never forget it. And he said, "His dive club, Santa Monica Bluefins, don't want you to dive anymore." And I said, "Well, then you'd better find another deckhand." And that was the last of it.

Joe ([01:19:23](#)):

I get why you want to allow the deckhands to dive, because-

Roy Hauser ([01:19:28](#)):

Only-

Joe ([01:19:28](#)):

... they have a passion for it.

Roy Hauser ([01:19:28](#)):

... one crew member.

Joe ([01:19:30](#)):

But why? What is the importance of keeping one of the crewmen on the vessel?

Roy Hauser ([01:19:36](#)):



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Well, because of safety purposes.

Joe ([01:19:37](#)):

Like what?

Roy Hauser ([01:19:39](#)):

Like because of the manning rule.

Joe ([01:19:42](#)):

What's the manning rule?

Roy Hauser ([01:19:44](#)):

You have to have a full complement of crew.

Joe ([01:19:47](#)):

Okay. All right. So that's a rule that says you have to have a, a full complement of crew aboard the vessel-

Roy Hauser ([01:19:53](#)):

You have anybody to go check the anchor to make sure it was well secured.

Joe ([01:19:57](#)):

Okay, what else?

Roy Hauser ([01:19:58](#)):

That was it.

Joe ([01:19:59](#)):

That's it?

Roy Hauser ([01:19:59](#)):

That's his requirement. You go on a dive, you down the anchor, make sure that anchor is secured properly. Then you can burn the rest of the tank, well, okay.

Speaker 5 ([01:20:14](#)):

(Laugh).

Joe ([01:20:16](#)):

What are the biggest problems or dangers that you and your crew, but perhaps more importantly, the passengers face when they're onboard one of these multi-day, uh, dive tours? What're the biggest dangers? Is it man overboard? What is it? What're the things that you're worried about as a captain?

Roy Hauser ([01:20:43](#)):

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Sinking.

Joe ([01:20:44](#)):

Okay.

Roy Hauser ([01:20:46](#)):

So we had a bilge alarms.

Joe ([01:20:47](#)):

Okay. And so the purpose of the bilge alarm is to signal, to give an audible signal or an audible alert, in the wheelhouse-

Roy Hauser ([01:20:56](#)):

Yes.

Joe ([01:20:56](#)):

... whenever the machinery space-

Roy Hauser ([01:20:58](#)):

Is flooding.

Joe ([01:21:00](#)):

When the flooding, where water a- accumulates in the engine room or other parts of, of the vessel, um, because if they, if, if enough water intrudes into the machinery space, so the bilge space, the ship can sink or roll, correct?

Roy Hauser ([01:21:13](#)):

Absolutely.

Joe ([01:21:13](#)):

Okay. What're some of the other problems that, that happen aboard, uh, vessels like these dive ships, which may injure somebody's, you know, m- m-, limbs or, or, maybe quite frankly, cost them their lives? I mean, look, uh, look, wh-

Roy Hauser ([01:21:31](#)):

I'm just trying to-

Joe ([01:21:31](#)):

... were you, were you concerned about-

Roy Hauser ([01:21:34](#)):

... answer your question, when I'm thinking what else could it be? There is nothing else.

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Joe ([01:21:37](#)):

Were you concerned about fire before two weeks ago?

Roy Hauser ([01:21:41](#)):

Nope.

Joe ([01:21:41](#)):

Why not?

Roy Hauser ([01:21:43](#)):

Never happened.

Joe ([01:21:45](#)):

Okay. Do you-

Roy Hauser ([01:21:47](#)):

The only time I had a fire was when a starter motor and the Bendix spring did not disengage, and the fly wheel continued to operate, and the starter motor caught on fire. This was on the Truth outta LA Harbor, Second Truth. We were three miles outside Los Angeles Lighthouse. Now, we could smell it. It was a slow smoldering burn.

Joe ([01:22:21](#)):

Did you smell the, the sm-

Roy Hauser ([01:22:21](#)):

The smoke.

Joe ([01:22:23](#)):

Okay.

Roy Hauser ([01:22:24](#)):

From the engine room.

Joe ([01:22:25](#)):

All right. Where were you? Were you up in the wheelhouse or were you-

Roy Hauser ([01:22:27](#)):

Yeah.

Joe ([01:22:27](#)):

Okay.

Roy Hauser ([01:22:28](#)):

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And we went down into the engine room-

Joe ([01:22:30](#)):

That's kinda [inaudible 01:22:31]-

Roy Hauser ([01:22:30](#)):

... [inaudible 01:22:31].

Joe ([01:22:31](#)):

You could smell the smoke in the engine room from all the way up in the wheelhouse?

Roy Hauser ([01:22:34](#)):

Yes, we could.

Joe ([01:22:35](#)):

Okay. Was this an out of control fire, or how big was the fire when you detected it with your nose?

Roy Hauser ([01:22:40](#)):

The electric starter motor, 18 inches long, 6 inches in diameter-

Joe ([01:22:48](#)):

Kinda like a cylinder?

Roy Hauser ([01:22:49](#)):

... was glowing red.

Joe ([01:22:50](#)):

Okay.

Roy Hauser ([01:22:51](#)):

And the insulation on the wiring was burning. We took the fire extinguisher.

Joe ([01:22:59](#)):

I'm just trying to understand. At that point, it sounds like the flames were small, the, the, the flames were basically isolated to the plastic coated wiring and to the, to the unit itself. Right?

Roy Hauser ([01:23:14](#)):

Mm-hmm.

Joe ([01:23:15](#)):

And even though the flames, even though the fire was f- fairly small at that point, you could smell that from up in the wheelhouse?

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Roy Hauser (01:23:24):

Yeah.

Joe (01:23:24):

Okay. So what'd you guys do? You, did you, you activate the Halon system or do you have to, CO2 system or-

Roy Hauser (01:23:30):

We had a, uh, we had dry chemical.

Joe (01:23:34):

So just like a regular like a, a commercial fire extinguisher unit?

Roy Hauser (01:23:39):

Yeah.

Joe (01:23:39):

Okay, and you were able to suppress it with that?

Roy Hauser (01:23:42):

Yeah.

Joe (01:23:54):

Okay.

(01:23:54):

All right. Other than that incident, did, did you, are you aware of, did you have any other prior incidents with fire?

Roy Hauser (01:23:59):

No.

Joe (01:24:04):

Okay. Are you aware prior to the incident and the fire a couple weeks ago, were you aware of any incidents of fire aboard any of the Truth Aquatics' vessels between the, uh, you said alternator?

Roy Hauser (01:24:25):

The starter.

Joe (01:24:26):

The starter. So, between the fire with the starter aboard the Second Truth and the catastrophic fire aboard the Conception a couple weeks ago, are you aware of any other fires that took place aboard-

Roy Hauser (01:24:39):

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No.

Joe ([01:24:41](#)):

... the Truth Aquatics fleet of ships-

Roy Hauser ([01:24:42](#)):

No.

Joe ([01:24:43](#)):

... the Vision, the Truth, or the Conception?

Roy Hauser ([01:24:44](#)):

Never.

Joe ([01:24:45](#)):

Never? So you never heard about... I thought, I thought you gave an interview to the LA Times when you mentioned a prior fire starting in, down in the berthing area aboard one of these vessels when a, a, a passenger had been improperly charging a, a personal electronic device.

Roy Hauser ([01:25:09](#)):

No.

Joe ([01:25:10](#)):

That wasn't you?

Roy Hauser ([01:25:10](#)):

No.

Joe ([01:25:12](#)):

Were you at the hospital the morning of September 2nd with, with Glen Fritzler, to pick up, or to, to, to, to check on Milton French, Brian Sims, Colin Malitor, or Mikey Pols?

Roy Hauser ([01:25:26](#)):

No.

Joe ([01:25:26](#)):

Hm. Okay. I, I guess I just misunderstand that. So you never made a statement to anybody about a prior fire, fire starting down in the, the berthing area or the stateroom aboard the Conception?

Roy Hauser ([01:25:39](#)):

No.

Joe ([01:25:39](#)):

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Okay. All right. So, as you sit here with us today, the only two fire, the only fires you've been, that you are aware of that took place on the Truth Aquatics' fleet of vessels, the Second Truth, the Vision, and the Conception, would've been the starter on the Second Truth and then this disastrous fire-

Roy Hauser ([01:26:03](#)):

1976.

Joe ([01:26:04](#)):

Okay, '76.

Roy Hauser ([01:26:07](#)):

Ken Kevitt was the second captain at that time. He was with me aboard the vessel.

Joe ([01:26:16](#)):

What time of night or day did that, did that starter-

Roy Hauser ([01:26:18](#)):

That was at one o'clock in the morning.

Joe ([01:26:22](#)):

And were you, were you up and standing watch at that time, or were you guys-

Roy Hauser ([01:26:28](#)):

I was operating the vessel. I was the captain. I was at the wheel.

Joe ([01:26:32](#)):

Okay.

Roy Hauser ([01:26:32](#)):

I was at the helm.

Joe ([01:26:33](#)):

And just so we're clear, when we, when we talk about somebody operating the vessel, that means they're awake, right?

Roy Hauser ([01:26:39](#)):

Absolutely.

Joe ([01:26:39](#)):

Okay, you can't operate the vessel when you're asleep in your bunk? No?

Roy Hauser ([01:26:47](#)):

No.

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Joe ([01:26:47](#)):

Okay, yeah, sorry, rem- remember you gotta, y- you're, you're gesturing, but you gotta, gotta say it [inaudible 01:26:53] for the, for the digital recorder. Okay. Um, do you wanna take a break or...

Roy Hauser ([01:26:59](#)):

No, no. Well, I'll probably take a break. I gotta get outta my wheelchair. Let's just get this over with-

Joe ([01:27:02](#)):

Okay.

Roy Hauser ([01:27:03](#)):

... so I can get outta my wheelchair.

Joe ([01:27:08](#)):

Okay. Was anybody else awake on the, on, on the Truth at that time in '76 when you detected the fire?

Roy Hauser ([01:27:14](#)):

No.

Joe ([01:27:16](#)):

No. Were the other crew members, and did you have a second master?

Roy Hauser ([01:27:21](#)):

Yeah, Ken [inaudible 01:27:22].

Joe ([01:27:22](#)):

Okay. Ken, Ken Kevitt. So he was asleep?

Roy Hauser ([01:27:24](#)):

Yeah.

Joe ([01:27:25](#)):

Okay. And were the other deckhands asleep and the galley-

Roy Hauser ([01:27:28](#)):

Yeah.

Joe ([01:27:28](#)):

... and the galley girl? But you were up because you had to be up according to the certificate of inspection and the complement-

Roy Hauser ([01:27:37](#)):

I was piloting the vessel.



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Joe ([01:27:38](#)):

And anytime that you are piloting the vessel, then Ken Kevitt would've had to have been up and awake and in control of the ship, right?

Roy Hauser ([01:27:46](#)):

Yes.

Joe ([01:27:51](#)):

Okay. Are you familiar with the watch standing requirement? The requirement for the... Well, first off, are you familiar with the T boat regs for small passenger vessels, for near coastal waters?

Roy Hauser ([01:28:06](#)):

Uh, not today, but, uh, 20 some years ago.

Joe ([01:28:08](#)):

Right, they had the T boat regs back then, right?

Roy Hauser ([01:28:10](#)):

Yeah.

Joe ([01:28:10](#)):

Okay, um, do you remember the watch standing requirement that says that whenever a T boat, which is a small passenger vessel, uh, under 100 gross ton, tons, whenever you have, at night, whenever you have passengers in the stateroom or, or the bunks or the berthing area, you must have a suitable number, at least one watchman, awake and essentially patrolling the vessel to sound the alarm for fire, man overboard, or other dangerous situations?

Roy Hauser ([01:28:50](#)):

We had wheel watches and we had anchor watches at night.

Joe ([01:28:55](#)):

Did you have a watchman, did you have somebody standing watch that was also on the lookout for other dangerous situations, like fire or man overboard?

Speaker 5 ([01:29:05](#)):

[inaudible 01:29:05] patrol?

Joe ([01:29:06](#)):

That's-

Roy Hauser ([01:29:09](#)):

No, not when I was on th- the boat.

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Joe ([01:29:11](#)):

Okay. Was, at any point during your involvement with Truth Aquatics, did the Truth Aquatics vessel captains, um, require a watchman at night whenever passengers were in the bunks below the main deck?

Roy Hauser ([01:29:28](#)):

I don't know what they required.

Joe ([01:29:30](#)):

I'm asking you if that was done. Do you know-

Roy Hauser ([01:29:32](#)):

I have no idea if it's done.

Joe ([01:29:34](#)):

Okay. The certificates of inspection, you're familiar with the COIs-

Roy Hauser ([01:29:40](#)):

Yeah, you guys pulled them all out for the two boats that had nothing to do with it. They can't even turn a propeller now.

Joe ([01:29:49](#)):

Okay.

Roy Hauser ([01:29:50](#)):

Crews are outta jobs, office staff is outta jobs.

Joe ([01:29:54](#)):

Where are the COIs posted on the, on the vessels?

Roy Hauser ([01:29:58](#)):

The what?

Joe ([01:29:58](#)):

Where are the certificates of inspection posted-

Roy Hauser ([01:30:00](#)):

In the wheelhouse.

Joe ([01:30:01](#)):

... in the vessels? Are they posted anywhere else or just in the wheelhouse?

Roy Hauser ([01:30:05](#)):

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Just in the wheelhouse as far as I know.

Joe ([01:30:08](#)):

Is the certificate of inspection, i- is that sort of the operating license for the vessel?

Roy Hauser ([01:30:14](#)):

Yes.

Joe ([01:30:15](#)):

If, if you don't comply with that, are you allowed to operate that vessel as, as a dive vessel for passengers?

Roy Hauser ([01:30:24](#)):

Well, no.

Joe ([01:30:27](#)):

Now, the certificates of inspection that were posted on the vessels when you ran them, uh, a- as well as today modernly, they have a requirement for a roving patrol, right?

Roy Hauser ([01:30:43](#)):

Uh, yeah, I just [inaudible 01:30:46].

Joe ([01:30:47](#)):

Sorry?

Roy Hauser ([01:30:48](#)):

I said, I don't, uh, of course, whatever the rules or regulations are, the boat is supposed to comply with.

Joe ([01:30:57](#)):

Okay. Do you remember if the certificates of inspection for the vessels when you, uh, were ac- active at Truth Aquatics, when you were partnering with, with Glen Fritzler, do you remember whether or not the certificates of inspection for the Truth and for the Conception had a roving patrol requirement? In other words, there had to be a suitable number of crew patrolling that vessel whether it was underway, whether it was day or night, anytime there was a passenger below decks in the berthing area.

Roy Hauser ([01:31:32](#)):

No, I do not recall that at all.

Joe ([01:31:41](#)):

Do you have the SEA [inaudible 01:31:42]? Can I get the room [inaudible 01:31:44]? Okay. So I'm showing you here a certificate of, of inspection for the Conception that was sent to H and F Leasing, which we'll get to in a bit, but it was sent to 301 West Cabrillo Boulevard. That's the, the address for Truth Aquatics, right?

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Roy Hauser (01:32:01):

Yeah.

Joe (01:32:01):

Okay. What we call SEA Landing?

Roy Hauser (01:32:04):

Yeah.

Joe (01:32:06):

So this date was February 23rd, 1999. And it was in effect up for three years, up until 2002. So do you recognize this as being the type of certificate of inspection that has been aboard the Conception over the years?

Roy Hauser (01:32:23):

Yeah.

Joe (01:32:25):

Is that a yes?

Roy Hauser (01:32:25):

Master, two deckhands...

(01:32:29):

I don't recognize the manning. The manning is not something that would... It, it didn't seem sufficient. It doesn't seem like... It should be...

Joe (01:33:06):

So it's only calling for four. Is that your point? You think it should be five?

Roy Hauser (01:33:09):

This vessel must be manned by the following... License, no licensed personnel include... But you only got four people.

Joe (01:33:21):

So, you- your recollection is that there should be five-

Roy Hauser (01:33:22):

Should be five.

Joe (01:33:22):

Okay.

Roy Hauser (01:33:23):

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That is, that's what I recall.

Joe ([01:33:26](#)):

Okay. They may have changed it at some point.

Roy Hauser ([01:33:28](#)):

Yeah, okay.

Joe ([01:33:29](#)):

But looking down here at the last full paragraph that says-

Roy Hauser ([01:33:33](#)):

At all times during... Once the passengers [inaudible 01:33:36]. Well, obviously it's there. But this is after my time.

Joe ([01:33:43](#)):

Okay. So-

Roy Hauser ([01:33:45](#)):

I was long gone-

Joe ([01:33:46](#)):

So your time, you were long gone January '78? That's, that's-

Roy Hauser ([01:33:49](#)):

No, I got pretty much outta the business by, well, it's been 22 years ago.

Joe ([01:34:00](#)):

Okay. At any point in time when you were still actively involved with Truth Aquatics, um, do you remember this, do you remember the roving patrol-

Roy Hauser ([01:34:16](#)):

No, I don't-

Joe ([01:34:17](#)):

... requirement?

Roy Hauser ([01:34:18](#)):

... recall any of that.

Joe ([01:34:19](#)):

Lemme ask you something, if, if, if you were the master of the Conception, when the COI, the certificate of inspection, had this roving patrol requirement, what would you have done?

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Roy Hauser (01:34:33):

Well, that's hard to say, though. I don't answer hypothetical questions.

Joe (01:34:37):

Well, you told us that you-

Roy Hauser (01:34:40):

I would do what required period.

Joe (01:34:42):

So you'd follow the law, and you'd follow the, the, you would follow the roving-

Roy Hauser (01:34:46):

I have no comment. And I don't know. I don't know that, I never seen that before. I had never seen that manning law before. I recall having five.

Joe (01:35:01):

Okay. It's a, it's a simple question. You, you've told us repeatedly that you followed the rules, you followed the regulations, you followed the requirements, right?

Roy Hauser (01:35:10):

Yeah.

Joe (01:35:10):

Okay. Now, I've showed you this certificate of inspection, which shows that the Conception going all the way back to at least 1999, and I can show you every other certificate of inspection up until today's date, they all have the roving patrol requirement, which says that anytime a passenger is below deck in that berthing or stateroom area, whether underway, at night, during the day, a member of the crew, of the vessel's crew shall be designated by the master as a roving patrol. I'm asking you if you would've complied with that. We're trying to understand what people in these situations do. Are you the type of person that would've just ignored that and blown it off and not complied? Or would you have compli-

PART 3 OF 6 ENDS [01:36:04]

Joe (01:36:03):

And blown it off and not complied, or would you have complied with the operating license issued by the Coast Guard for that vessel?

Roy Hauser (01:36:08):

I would follow the rules and regulations.

Joe (01:36:10):

Okay. Even if you felt that it was unnecessary, you would have complied?

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Roy Hauser ([01:36:15](#)):

Yes sir.

Joe ([01:36:15](#)):

Okay. Do you feel that that is part of your duties as the master to ensure that the certificate of inspection is being complied?

Roy Hauser ([01:36:25](#)):

Yes sir. Yes sir.

Joe ([01:36:29](#)):

You're pointing to United States of America Department of Transportation, United States Coast Guard certificate of inspection?

Roy Hauser ([01:36:34](#)):

Yes sir.

Joe ([01:36:35](#)):

I take it that because the certificate of inspection says you have to have a roving patrol with passengers of below decks, that you would have complied with that?

Roy Hauser ([01:36:44](#)):

Yes sir.

Joe ([01:36:45](#)):

Okay. And would you expect when... It, when you were off your shift, and your second mate or your second master was in control of the vessel, would you expect your second master to comply with that roving patrol as well?

Roy Hauser ([01:37:03](#)):

Yes sir.

Joe ([01:37:08](#)):

Whenever Mr. Fritzler, back when he used to captain the Conception, when you guys were partners, and even in the years after that, would you have expected him to do the same thing? To comply with the operating license and the requirements of the certificate of inspection?

Roy Hauser ([01:37:26](#)):

Yes sir.

Joe ([01:37:29](#)):

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How about Captain Jerry Boylan? And let's talk about the trip from a couple weeks ago. Would you have expected him to comply with the roving patrol requirement on the Conception's certificate of inspection?

Roy Hauser ([01:37:43](#)):

Yes sir.

Joe ([01:37:50](#)):

Do you know what the purpose of that roving patrol requirement is?

Roy Hauser ([01:37:56](#)):

Yes sir.

Joe ([01:37:56](#)):

What?

Roy Hauser ([01:37:59](#)):

To have [inaudible 01:38:00] boat.

Joe ([01:38:01](#)):

To look for what?

Roy Hauser ([01:38:02](#)):

Anything.

Joe ([01:38:04](#)):

Well, anything what? Are they, I mean, are they looking to make sure people have a, a warm cup of coffee? Are they looking... What are they looking for? What are they trying to prevent?

Roy Hauser ([01:38:14](#)):

Make sure the anchor, make sure the vessel is securely at anchor.

Joe ([01:38:18](#)):

How about fire? Are they looking for fire aboard the vessel, so they can put it out or sound the alarm?

Roy Hauser ([01:38:26](#)):

Yes sir.

Joe ([01:38:27](#)):

If you had not been awake at 1:00 AM in 1976, when the second, when the second Truth had the, the starter fire, if you hadn't been awake, what could have happened on that ship? Is it possible that fire could have consumed the vessel and caused the vessel to sink?



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Roy Hauser ([01:38:51](#)):

Yes sir.

Joe ([01:38:55](#)):

So does this roving patrol requirement, not only is it the law, but does it make sense to you as a mariner?

Roy Hauser ([01:39:02](#)):

Yes sir.

Joe ([01:39:04](#)):

Is your, as the master of a vessel, is your obligation to the company that owns the vessel alone, or is it also your obligation to the safety of the passengers?

Roy Hauser ([01:39:17](#)):

To the safety of the passengers.

Joe ([01:39:18](#)):

What's the most important to you?

Roy Hauser ([01:39:20](#)):

Safety of the passengers.

Joe ([01:39:29](#)):

I'm gonna ask you a, a hard question. It's a hypothetical. If a master of a dive ship, a dive tour ship that has a certificate of inspection like this for the Conception that requires a roving patrol when passengers are in the bunk [inaudible 01:39:55] statement below deck area, and that master does not require the roving patrol when passengers are below deck, and a fire breaks out, and that fire is not detected until the point it is consuming a big percentage of the ship, would you say that that master failed to pay attention to his duties, and fail to comply with his duties?

Roy Hauser ([01:40:29](#)):

Hypothetically?

Joe ([01:40:30](#)):

Yeah. It didn't even have to be hypotheticals. In that, in-

Roy Hauser ([01:40:33](#)):

No, no, but you just said, "This is a hypothetical question."

Joe ([01:40:37](#)):

Yeah, yeah.

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Roy Hauser (01:40:37):

Well then, I don't know hypothetical.

Joe (01:40:40):

Then skip the hy-

Roy Hauser (01:40:41):

I was not on the board of the vessel, I do not know what transpired, I cannot speculate on what might have, could have, or should have, I only know what I've listened to on the news.

Joe (01:40:54):

Okay.

Roy Hauser (01:40:55):

This is a point where I'm asking, is there anything I can add to help find out how the fire started? Do you think I might have some sort of knowledge that I could share with you that would come to some, "This is the reason, so now we're gonna stop this on all the other vessels"? What happens with all the other vessels in San Diego, Los Angeles Harbor, Oxnard, anywhere, that have these fires break out because of these batteries? That's, everything I've heard, the assumption is that there was some sort of a battery. I was told that there was a crewman in the, in the galley area 30 minutes before this exp- ... This thing happened.

(01:41:47):

So if you're in there 20 minutes or 30 minutes, if you're in an aircraft flying 10,000 feet and it explodes, how much time do you have? If you're in a bunk room and these batteries with all these fumes go off, and you have a ventilation system with air conditioning going around, how much time do you have before the carbon monoxide takes over? Okay? Maybe now we learn from something. All the boats should be fitted like I have in my house with a carbon monoxide device. When I remodeled this house, I had to come up with a carbon monoxide. When I remodeled my house, I have to have a smoke alarm. If one goes off, they all go off. Jesus, criminy. Is it required? No. Should it be required? Yes. Is it gonna get redone? Yes, I've already talked to my friend, Glen.

Joe (01:42:46):

Okay.

Roy Hauser (01:42:47):

And he says, he's got the electrician down there rewiring all the... Well, the two boats we have left, he has left. I keep putting me in it, but. So that when a smoke alarm goes off, not only in the bunk room, it goes off on all the compartments and the wheelhouse, just like the bilge alarms. Is it required? No. Was a holding tank required when I built the Conception? No, but we put it in. He's putting in those alarms right now.

Joe (01:43:21):

So let me ask you the question a different way, 'cause I, I understand you do not want-

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Roy Hauser (01:43:26):

Should have, could have, and would have.

Joe (01:43:26):

... It, it seems-

Roy Hauser (01:43:28):

But it's nobody.

Joe (01:43:29):

... It seems like you do not wanna be in a position of saying that Jerry Boylan or Glen Fritz did anything wrong, I understand that. So let me ask the question a different way. You've talked about, uh, bilge alarms, right? Sensors to detect uh, you know, infiltrated water into the bilge spaces. That's a requirement, is it not?

Roy Hauser (01:43:51):

Yes.

Joe (01:43:52):

What if the, the master of a vessel, uh, turned them off? Turned off the bilge sensors? Because they were going off, because the system was, was on the fritz, okay? It wasn't working properly. Would that be a breach of a duty, turning off the sensor simply because it may have been alarming when there was no water intruding?

Roy Hauser (01:44:16):

I have no idea what the circumstances are. I have no idea what you're talking about.

Joe (01:44:21):

Okay.

Roy Hauser (01:44:21):

Because a bilge alarm system is rigged throughout the boat and into the wheelhouse. Now, the fire alarm systems that they require were not required, but he's, he's requiring them right now as we speak.

Joe (01:44:38):

Smoke detectors are required aboard.

Roy Hauser (01:44:41):

Well, yeah, it's required of my house, but it's also in my house required that if one goes off, they all go off.

Joe (01:44:48):

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So let me ask you a question. If the master or one of the deckhands disable the smoke detectors for whatever reason, or fail to maintain them, would you agree that that's a breach of duty?

Roy Hauser ([01:44:58](#)):

No. One smoke detector is one smoke detector. They are not integral. That is what my partner... Well, my former partner, my friend Glen is doing right now as we're sitting here. He's already rewiring the vessels so that now, one smoke detector, not all, just one goes off, and one might have gone off in the, in the galley area, but did the one go off in the engine room? Did the one go off in the wheelhouse? No, but they will now. Without being required to do it, he is doing it.

Joe ([01:45:43](#)):

So you told us that in 1976, when you were, at 1:00 in the morning, when you were operating the Second Truth, and the starter in the engine room caught fire, that you're able to detect that fire by smelling the smoke from the wheelhouse, right?

Roy Hauser ([01:46:01](#)):

Yes.

Joe ([01:46:02](#)):

The fact that you were awake, and essentially operating the vessel or standing watch, would you agree with me that that allowed you to detect that fire and to put it out before it became a bigger problem?

Roy Hauser ([01:46:14](#)):

Yes.

Joe ([01:46:16](#)):

Are you telling me, are you telling me now that having a roving patrol, or having somebody standing watch on the Conception, on the morning of September 2nd, are you telling me that that wouldn't have made any difference that they wouldn't have been able to check the fire?

Roy Hauser ([01:46:36](#)):

No. No.

Joe ([01:46:37](#)):

Okay. All right. You're just saying, you don't know if it would have made a difference, because you don't know... [inaudible 01:46:55].

Roy Hauser ([01:46:56](#)):

[inaudible 01:46:56]. This is more important.

Joe ([01:47:07](#)):

Are you aware of the training requirements for crew members aboard T boats? Or small passenger vessels like the Truth, Vision, and Conception, which require the crew members to be trained to suppress and to fight fires?

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Roy Hauser ([01:47:24](#)):

No.

Joe ([01:47:25](#)):

Okay. So, back when you were operating through the aquatics, and back when you were captaining vessels like the Second Truth, are, are you saying that they didn't have requirements, and regulations like that, that you train the crew members to fight fires?

Roy Hauser ([01:47:45](#)):

In all of the Coast Guard inspections that I went through, we never had to do a man overboard drill, we never had any firefighting drill. And that was in the '60s, and the early '70s, we never, that was never... A man overboard drill or firefighting.

Joe ([01:48:18](#)):

And is that because the regulations didn't require it back then?

Roy Hauser ([01:48:21](#)):

Apparently. I mean, I never did, I never went through any such thing.

Joe ([01:48:25](#)):

Okay.

Roy Hauser ([01:48:25](#)):

I learned about the Man Overboard drills, and the firefighting hoses coming out and all that later on, but that was way after my time.

Joe ([01:48:38](#)):

Do you know, modernly, today's day, do you know whether Captain Jerry Boylan, uh, or Glen Fritzler, the, the operator, the owner of Truth Aquatics, do you know whether they require the, the crew aboard each of the three vessels to train, uh, for firefighting the fire suppression?

Roy Hauser ([01:48:57](#)):

I know that they have, because I've been told that, but I, you know, that, that's all, I just, you know. He was telling me, "We're gonna throw the life jacket over, but that's over now, we gotta do this, we gotta do..." He's telling me about that, but-

Joe ([01:49:10](#)):

He [inaudible 01:49:11].

Roy Hauser ([01:49:11](#)):

... I never went through that.

Joe ([01:49:12](#)):

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[inaudible 01:49:12]. Glen, Jerry, I mean, anybody I ever talked to. It's a whole new requirement that the Coast Guard has come up with that I never had that.

(01:49:23):

Okay. Do you know when this, this new requirement as you, as you say came into effect?

Roy Hauser (01:49:29):

I do not.

Joe (01:49:30):

Okay. Help us understand... I guess I, I, I'm trying to understand the, I guess the finances or, I guess the finances of, of running a business like this, Truth Aquatics, and running these dive ships. Is there, is there a rule of thumb, you know, what your, what your profits are per... You know, do you like, are you shooting for like 5%, 10% profit over your cost per multi-day charter?

Roy Hauser (01:50:22):

You know, you collect the charter fee, you put it in the bank, you pay your bills, at the end of the year hopefully you got something left.

Joe (01:50:29):

(laughs). Hopefully you're, you're on the plus side.

Roy Hauser (01:50:31):

Yeah. There, there's no, there's no profit margin thing, calculation of any sort. You know, it's just that we've got so many days in a year, every day you lose whether it's due to weather, or breakdown on a boat, it's a day you lose. You don't get that day back.

Joe (01:50:56):

So it sounds like from month to month, or year to year there's a lot of-

Roy Hauser (01:50:59):

It's hand amount.

Joe (01:51:00):

... A lot of variability.

Roy Hauser (01:51:01):

Hand amount.

Joe (01:51:02):

Okay. Do you have a sense for... Could you give us an idea how often, how many times Glen Fritzler would have been the boat driver or the, I guess the first captain of the, the P/V Conception before he kind of stepped away from, from doing it? Would it be dozens of times?

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Roy Hauser (01:51:29):

I, I have no idea, his schedule.

Joe (01:51:31):

How many times would the Conception go out per year on average?

Roy Hauser (01:51:35):

Well, (laughs), when we're in the high time, we'd run about 200 days a year.

Joe (01:51:40):

Okay.

Roy Hauser (01:51:40):

I don't know what they're able to run now.

Joe (01:51:42):

So back then, when it was, when it was you and Glen as the partners, and he was, he was captaining the Conception, um, it sounds like for a, a period of time there, for a matter of year, a few years, he was the only captain for the Conception?

Roy Hauser (01:52:01):

No, no, no. Mark Pittman was the captain on the Truth. Mark Pittman was the captain when I first moved up here from San Pedro.

Joe (01:52:12):

Okay.

Roy Hauser (01:52:14):

Glen had yet to get his license. Glen finally gets his license, now I have two captains, one boat, and a tremendously rapid growing business.

Joe (01:52:24):

Okay.

Roy Hauser (01:52:24):

Built the Conception, Glen goes to Lost, uh, Long Beach. Built Conception, becomes captain of that vessel, Mark Pittman is captain of the vessel Truth.

Joe (01:52:37):

Okay, so when Fritzler was Captain of the Conception after it was built, if, if, if the Conception was on the water for 200 days out of the year, Fritzler would have been the captain for about 200 days, correct?

Roy Hauser (01:52:49):

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Pretty much, yes.

Joe ([01:52:53](#)):

Okay, all right. I'm just trying to understand how familiar with the boat he is. I'm assuming he's-

Roy Hauser ([01:52:56](#)):

Familiar? He built it.

Joe ([01:52:57](#)):

Okay, there you go. Um, are you familiar with the Fritzler family trust?

Roy Hauser ([01:53:16](#)):

No.

Joe ([01:53:17](#)):

Never heard that term before?

Roy Hauser ([01:53:18](#)):

I've heard the term, but I'm not familiar with it.

Joe ([01:53:21](#)):

What is it?

Roy Hauser ([01:53:22](#)):

Well, I have a royal living trust.

Joe ([01:53:25](#)):

Okay.

Roy Hauser ([01:53:26](#)):

And I leave certain things to my son, and, and the house, photographs and stuff go to Glen. So I don't know anything about how his trust is set up.

Joe ([01:53:37](#)):

Fair. Enough so you have a Hauser, a Roy Hauser family trust?

Roy Hauser ([01:53:41](#)):

A living trust.

Joe ([01:53:42](#)):

Okay. And the purpose, and I'm not trying to pry in your personal stuff, what's the purpose of that? Is it, it's, it's a state, statement tax?



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Roy Hauser (01:53:51):

So, so that mine don't go through what my brother and sister had to go through when my father, my stepfather passed away. They didn't have anything set up.

Joe (01:54:05):

Okay. So it's for tax planning and estate planning-

Roy Hauser (01:54:08):

Estate planning.

Joe (01:54:09):

... Okay. It doesn't really have anything to do with who operates the vessel, right?

Roy Hauser (01:54:15):

Not to my knowledge.

Joe (01:54:16):

Okay. But beyond that, and comparing it to your situation, you really don't know anything that Glen [inaudible 01:54:24].

Roy Hauser (01:54:23):

I have no knowledge of a trust, just that I know he has one because I've read it.

Joe (01:54:28):

Okay. Were you aware that one or more of the vessels were owned by the Fritzler family trust?

Roy Hauser (01:54:35):

I, no.

Joe (01:54:39):

Okay. Tell us about H&F Leasing. What was it, when was it created, why was it created?

Roy Hauser (01:54:53):

Yeah. H&F Leasing was created through Joe Bordonowski. He was a CPA at the time of the company, and he realized that because of the, uh, what they used to call the, uh, it was CCF, Capital Construction Fund that federal government set up. It was that you could take monies that you had earned from your operation, put them into a Capital Construction Fund account. You could then take that money from the capital's construction fund, and build a vessel. And with that, building the vessel with can- ... Uh, Capital Construction Funds enabled you to not be taxed on your income, so long as you reinvested it in the building of another vessel. Holla Vision. And so, we had CCF monies that we earned from the boat's income put into the Capital Construction Fund, use that to build a boat, and that gave us the federal government's uh, fishing boat mortgage guaranteed program. So then you could go into a bank, and you could say to the bank, "Look, this is a government de- ... Like, bailing out Chrysler." Okay? You got the federal government behind you. So that's why H&F Leasing was formed.

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Joe ([01:56:44](#)):

Okay. And whi-

Roy Hauser ([01:56:46](#)):

That's what this is.

Joe ([01:56:47](#)):

... Which... Okay, great. And and which vessels were then built through H&F Leasing?

Roy Hauser ([01:56:57](#)):

Oh, [inaudible 01:56:57]. Vision.

Joe ([01:56:57](#)):

Vision. And the H&F, that's Hauser and Fritzler?

Roy Hauser ([01:57:01](#)):

Yes.

Joe ([01:57:03](#)):

Is H&F Leasing still around? Is that-

Roy Hauser ([01:57:07](#)):

No.

Joe ([01:57:07](#)):

... That was a general partnership with two partners, you and Mr. Fritzler, right?

Roy Hauser ([01:57:10](#)):

Yes.

Joe ([01:57:13](#)):

Were you equal partners in that? Was basically a-

Roy Hauser ([01:57:16](#)):

Yes.

Joe ([01:57:18](#)):

... Okay. And all the paperwork and documents that you have are on the table, and you'll be able to turn them over to us, okay. Did H&F Leasing... I, I take it that the only vessel held and owned by H&F Leasing, was that the Vision?

Roy Hauser ([01:57:39](#)):

Yes.

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Joe ([01:57:41](#)):

And so, how did that work? Did H&F Leasing-

Roy Hauser ([01:57:45](#)):

[inaudible 01:57:45]. H&F Leasing took title on all the vessels, okay?

Joe ([01:57:49](#)):

Okay.

Roy Hauser ([01:57:53](#)):

Now, I'm no task guy. Joe Bordonowski is the one that set it up, all we did is follow his lead and sign the papers.

Joe ([01:58:08](#)):

Okay. So at some point, title to all three vessels, the Vision, the Truth, and the Conception was passed to H&F Leasing?

Roy Hauser ([01:58:19](#)):

Yes.

Joe ([01:58:19](#)):

So you could say that the legal owner of the title of the boats was H&F Leasing, a general partnership?

Roy Hauser ([01:58:27](#)):

Yes, yes.

Joe ([01:58:30](#)):

But you and Glen Fritzler owned H&F Leasing?

Roy Hauser ([01:58:36](#)):

Yes.

Joe ([01:58:39](#)):

And at the time that H&F Leasing held title to the three vessels, who would you describe as the, the operator of those three vessels? Would that have been Truth Aquatics, would it have been you, Mr. Fritzler?

Roy Hauser ([01:58:55](#)):

What was the question again?

Joe ([01:58:56](#)):

Who would have been the operator of the vessels?

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Roy Hauser (01:59:00):

The captain of the vessels. The captain hires the crew, runs the vessels. And H&F Leasing owned title to 'em. I, I, I, I just [inaudible 01:59:15].

Joe (01:59:17):

Okay. Well, but, would the captain hire the crew, or would it be Truth Aquatics?

Roy Hauser (01:59:21):

No, the captain hires their own crew. You have to blend in.

Joe (01:59:25):

Okay, but look, Captain Boylan, Jerry Boylan did not hire the crew aboard the P/V Conception.

Roy Hauser (01:59:31):

Yes, he did.

Joe (01:59:32):

Who paid for it? Who, do you know who paid the crew?

Roy Hauser (01:59:35):

Well, the company paid the crew, but you do not put the quarterback on the field, okay? And tell him, he has to play with these players. If he cannot play with one of those players, that player's out.

Joe (01:59:54):

I see what you're saying. So, so Captain Boylan would have, they would have deadheaded with him, he would have made the decision, "I like these people, they fit in with my team." He would have been hired them, but they would have worked for, and been paid for by Truth Aquatics?

Roy Hauser (02:00:08):

Yes.

Joe (02:00:12):

Okay. And Gle- Glen Fritzler modernly today, he owns Truth Aquatics, yes?

Roy Hauser (02:00:17):

Yes.

Joe (02:00:17):

At what point did you transfer Truth Aquatics Incorporated to Glen Fritzler?

Roy Hauser (02:00:35):

Um, in 1999.

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Joe ([02:00:43](#)):

And at that point, when you transferred it to him, what were, what were the terms and conditions of the sale? Did he, was he required-

Roy Hauser ([02:00:51](#)):

That's in here.

Joe ([02:00:52](#)):

... Okay, but could you-

Roy Hauser ([02:00:53](#)):

Well-

Joe ([02:00:54](#)):

... Save me going-

Roy Hauser ([02:00:55](#)):

... Basically, uh, a couple years prior to that, I had, I used to be, I guess you'd call it a figurehead, and I used to book the charters and stuff that Glen uh, wanting to turn into the 21st century, go into computers. I was having a hard time with getting into comput- ... I don't even own the computer now, I don't have a cell phone, I don't drink bottled water. Uh, and after a couple years of me just sitting around not really being involved at all, Glen came to me and said, "I wanna buy your interest out in the company."

Joe ([02:01:35](#)):

And at that point, were you basically 50-50?

Roy Hauser ([02:01:37](#)):

Oh, we were always 50-50.

Joe ([02:01:37](#)):

Okay.

Roy Hauser ([02:01:39](#)):

After the first seven years. And I said, "Whew, about time."

Joe ([02:01:44](#)):

(laughs).

Roy Hauser ([02:01:46](#)):

Part of the, the uh, arrangement was, the company owned the house. I am one of the deckhands in Virginia, The Galley girl, who passed away. Lived here. We all paid rent to the company. Company paid the mortgage. So I had a house. But it was never my house. Leona Helmsley, remember that? You can't

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take the company's money. That's why I, only thing I could do is I have a ramp built, huh, and I had a door put in my bedroom. The rest of this house was stocked 1963. Up and down. Just, none of it was level, it had carpeting, it was just stuck, I could never do anything with it. So he gave me the title of the house, and that's where Joe Bordonowski came in. Because I was president of the company, when I took possession of the house in '88, Santa Barbara County tax collector came and said, "You owe us this much more money in taxes." And Joe Bordonowski said, "No, he doesn't." "How do you figure that?" "Well, the company where she is the president of gave him the house. There was no money transacted, there was no extra balloon payment." So I got the house, but I also got a mortgage that went with it.

(02:03:35):

So I get the house, I get the mortgage, Glen buys me out over a 13-year period.

Joe (02:03:48):

How much did he agree to pay you over the 13-year period? What was that buyout?

Roy Hauser (02:03:53):

Uh, one point something million dollars. It's in here somewhere. You know, when you read this, you'll find it.

Joe (02:04:15):

Okay.

Roy Hauser (02:04:15):

What, what we, what I did is we took... When he, when he came to me with this offer, I said, "Okay, what we're gonna do is we're gonna take the insured value of the three boats, total that up, we'll split that in half, and that's what you pay me." I didn't go along with any of this well, future earnings, and this, and that, and [inaudible 02:04:40], just, "Hey listen, how much are these three boats worth on the insurance total, if they're, if they're totals?" They came up with a figure, we've cut that in half, that's what I decided on, came out to \$4000 a month for 13 years. No interest, no add-ons, no blah, blah, blah. Strictly just, it's the way you should do it, and that's the way I did it.

Joe (02:05:10):

Do these documents also indicate what the approximate, the mortgage was on the house that was owed, that was still [inaudible 02:05:17] half the time?

Roy Hauser (02:05:18):

I don't know. I am [inaudible 02:05:20].

Joe (02:05:19):

Did you have a, memories with that? I'm just kind of curious.

Roy Hauser (02:05:21):

Well, I-

Joe (02:05:22):

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I'm curious what the value of house-

Roy Hauser (02:05:24):

... The, all these payments was \$2000 a month.

Joe (02:05:26):

Sure.

Roy Hauser (02:05:27):

And it was, uh, 200 and... 287, 5? So at the time, the house was probably around to 2- 270 was the house was valued at probably at that time. But I, we didn't take consideration, the value of the house had nothing to do with it. He just said, "I'm gonna throw in the house." I said, "Okay." We had a hundred thousand dollars in stock with a micro, uh... No, no, no, what was it at the time? Um, Glen took company money, and bought stocks in some company, I wanna say Microsoft, but. And I said, "Okay, you keep that money, because there's a hundred thousand dollars, but in case a boat breaks down really bad, you're gonna need that money to keep the operation running. 'cause without the boats, there's no house payments. Without the house payments, or my payments, there's nothing. So you got to keep that money, I'll keep the house."

(02:06:43):

So that's the way it worked out. Glen and I are very still, to this day very close. Never that business overcome friendship. One thing about a marriage, a partnership, you can't fuck your partner.

Joe (02:07:00):

(laughs).

Speaker 7 (02:07:00):

(laughs).

Joe (02:07:06):

I won't ask, ask you which relationship you prefer, a marriage or a partnership.

Roy Hauser (02:07:11):

I don't know, I'm not married.

Joe (02:07:11):

(laughs).

Roy Hauser (02:07:14):

Tried it twice, it didn't work.

Joe (02:07:18):

Do you remember your oath that you took as a, uh, when you got your Merchant Mariner's license? Your 007 ocean operator?

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Roy Hauser ([02:07:27](#)):

Not per word.

Joe ([02:07:29](#)):

But you took an oath, right?

Roy Hauser ([02:07:30](#)):

I'm sure I did.

Joe ([02:07:31](#)):

And you felt you had to actually sign it.

Roy Hauser ([02:07:34](#)):

I'm sure I did.

Joe ([02:07:36](#)):

Okay. I'd like you to read you that oath if I could. I do solemnly swear or affirm that I will faithfully and honestly, according to my best skill and judgment, and without concealment and reservation, perform all the duties required of me by the laws of the United States. I will faithfully and honestly carry out the lawful orders of my superior officers aboard a vessel.

PART 4 OF 6 ENDS [02:08:04]

Joe ([02:08:02](#)):

... my superior officers aboard a vessel. That ring a, ring a bell? Does that sound familiar?

Roy Hauser ([02:08:06](#)):

If that's what it was, that's what I signed, that's what I will do.

Joe ([02:08:11](#)):

Including following and complying with the laws of the United States?

Roy Hauser ([02:08:14](#)):

Absolutely.

Joe ([02:08:15](#)):

Which include the T boat regulations for small passenger vessels.

Roy Hauser ([02:08:19](#)):

Absolutely.

Joe ([02:08:20](#)):



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You would've, you would've complied with those regulati- ah, ah, forget that. You did comply with those laws and those regulations when you operated a-

Roy Hauser ([02:08:29](#)):

To the best of my ability.

Joe ([02:08:31](#)):

To the best of your ability?

Roy Hauser ([02:08:32](#)):

Yes sir.

Joe ([02:08:32](#)):

What does that mean? That sounds like a cup caveat.

Roy Hauser ([02:08:34](#)):

I don't know a caveat, I mean, I did. I ran the boat for many many years. I was licensed in 1966.

Joe ([02:08:43](#)):

Well that sounds like a qualifier so let me ask you this. Were there laws and regulations that you didn't comply with because to your best ability you decided you couldn't?

Roy Hauser ([02:08:52](#)):

I allowed a guy, one of our crew, to go over the, ou- out, you know, to be overboard diving while there were passengers aboard the boat. Yeah, that's, uh, that's, that's one I broke. But I didn't break any other laws or rules or regulations. Never ran drugs on the boat. Never abused passengers or none of that stuff.

Joe ([02:09:15](#)):

And you complied with the watch standing and the operating requirements, correct?

Roy Hauser ([02:09:19](#)):

Yes I did.

Joe ([02:09:20](#)):

And you would expect any second master or any other master that worked for you in your business to do the same?

Roy Hauser ([02:09:29](#)):

Well, yeah. They were hired there. They know the rules and regulations.

Joe ([02:09:33](#)):

Let me ask you this. Because a couple times I've asked you about captain Jerry Boylan or Glen Fritzler complying with the rules and regulations. You've told us, "Well that's, that's the captain's deal. That's up

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to the captain to do." Okay? But as the owner of Truth Aquatics, if you found out that a captain was not following the regulations or not complying with the certificate of inspection requirements, would you have let them get away with that or would you have told them to comply with the certificate of inspection and the regulations?

Roy Hauser ([02:10:08](#)):

I have no knowledge they weren't.

Joe ([02:10:12](#)):

That's not the question I asked you. The question's if you became aware-

Roy Hauser ([02:10:14](#)):

If I became aware?

Joe ([02:10:15](#)):

Right.

Roy Hauser ([02:10:16](#)):

Yes.

Joe ([02:10:16](#)):

What would you do? Would you tell them?

Roy Hauser ([02:10:18](#)):

They had to comply with the rules and regulations.

Joe ([02:10:21](#)):

And if they didn't?

Roy Hauser ([02:10:21](#)):

If I became aware, I never became aware.

Joe ([02:10:24](#)):

Okay.

Roy Hauser ([02:10:25](#)):

Nobody ever came to me and said, "Roy, these guys are really screwing up."

Joe ([02:10:31](#)):

And if they didn't comply would you have had to have fired them?

Roy Hauser ([02:10:34](#)):

If I had no knowledge of it.

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Joe ([02:10:36](#)):

But if, if you had knowledge.

Roy Hauser ([02:10:39](#)):

I would abide by what you're saying. But no, I didn't have knowledge of any of this.

Joe ([02:10:49](#)):

Do you know whether or not Glen Fritzler and captain Jerry Boylan were complying with the roving patrol requirement [inaudible 02:11:02]?

Roy Hauser ([02:11:02](#)):

I have no idea.

Joe ([02:11:04](#)):

Okay. Never heard them talk about that?

Roy Hauser ([02:11:06](#)):

Never did talk about it. Not to my knowledge.

Joe ([02:11:08](#)):

Do you know whether or not they were complying with the T boat reg- regulations, in particular section 185.4 10? The watch standing requirements?

Roy Hauser ([02:11:18](#)):

I, I know, I, 22 years I've been divorced from it now. Prior to that all I was was taking charters, booking trips, talking to customers on the phone. That was all I did.

Joe ([02:11:35](#)):

But if you-

Roy Hauser ([02:11:35](#)):

I did not operate the boat. I couldn't. I went out on the boat, well, I went out on the boat a couple times over the course of the, the last 30 years.

Joe ([02:11:52](#)):

Okay. When was the last time you were out on the Conception?

Roy Hauser ([02:11:55](#)):

Uh, can't remember when I, uh, last time I was out on any of the boats was on the Truth when we put Virginia, the Galley girls, ashes to rest. And that was a couple years ago.

Joe ([02:12:11](#)):

That was probably just a, a day trip?

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Roy Hauser (02:12:13):

It was a couple hour trip. We went out three miles off Santa Barbara point where I buried my mom and put her ashes out. That was the last time I was on a boat. Two years, no, three years ago.

Joe (02:12:25):

Have you ever been out on any of the three boats, the Truth, the Vision, or the Conception on a, on a multi-day trip?

Roy Hauser (02:12:32):

No.

Joe (02:12:33):

You haven't been?

Roy Hauser (02:12:34):

Well, now I've been out on multi-day trips with them, yes.

Joe (02:12:38):

Okay. Have you ever been out on a multi-day trip on the Truth, the Vision, or the Conception when they did not comply with the watch standing requirement?

Roy Hauser (02:12:47):

No.

Joe (02:12:48):

Did you ever even see them comply with the watch standing requirement?

Roy Hauser (02:12:52):

I, you know, I was asleep. I was a guest. I went out just for old times sake. That's all it was.

Joe (02:13:00):

Okay.

Roy Hauser (02:13:01):

I did not have any involvement with the operation of the vessel.

Joe (02:13:06):

As a guest, would you expect the crew and the captain and the second captain to comply with the passenger safety rules and regulations?

Roy Hauser (02:13:17):

Well everyone was. I was. Yeah. I mean, when I say I was, I was assuming that they were doing everything they're supposed to do as they normally do.

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Joe ([02:13:44](#)):

Got these all out of order.

Roy Hauser ([02:13:52](#)):

They sure you wouldn't like an iced tea or something?

Joe ([02:13:55](#)):

Oh, I'm good. I appreciate it.

Speaker 8 ([02:13:56](#)):

Thank you for off- offering. I'm all set, sir.

Roy Hauser ([02:13:59](#)):

Glass of water?

Joe ([02:14:00](#)):

I'm good.

Roy Hauser ([02:14:00](#)):

Anything?

Speaker 8 ([02:14:04](#)):

No thank you.

Joe ([02:16:24](#)):

All right, I think we're getting close to my questions being done.

Roy Hauser ([02:16:28](#)):

Yeah.

Joe ([02:16:29](#)):

And I think the, uh, that Haime and, and, uh, Chris might have a couple follow up questions but.

Roy Hauser ([02:16:33](#)):

Yeah. Okay.

Joe ([02:16:34](#)):

Um, whoops. [inaudible 02:16:37]

Speaker 8 ([02:16:37](#)):

Yep.

Joe ([02:16:41](#)):

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It's my understanding that the hulls of the Conception and the Truth and the Vision are, you call it, is it fiber glass sheeted wood?

Roy Hauser (02:16:50):

It's, um, the Conception and the, a- all three of the boats are laminated plywood.

Joe (02:17:05):

And does that present any unique safety challenges or, you know, for the purpose of fire or not?

Roy Hauser (02:17:16):

No. No. All together it was [inaudible 02:17:19] wood, uh, glue, going now of course with all the new building techniques we would prefer to use, uh, West System Epoxy but that's neither here nor there to have anything to do with, they're, they're built with the same material.

Joe (02:17:45):

So a couple times I've asked you about compliance with passenger safety and operational safety rules and regulations. And a, and a couple times you've, you've used the term "to the best of my ability". Um, you've also said that you would comply and you did comply with the rules and the regulations including, uh, you know, whatever the requirements on the certificate of inspection, right?

Roy Hauser (02:18:15):

Mm-hmm. Yes.

Joe (02:18:19):

Do you feel, is it your opinion, that the master of a vessel like the Truth, Vision, or Conception, that they can pick and choose what rules and regulations?

Roy Hauser (02:18:31):

Absolutely not.

Joe (02:18:32):

If there's a rule, if there's a safety regulation, they have to comply with it, right?

Roy Hauser (02:18:36):

Yes.

Joe (02:18:37):

Okay. And if they don't that's a breach of their duty, is it not? As the captain?

Roy Hauser (02:18:41):

Yes.

Joe (02:18:50):

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Back when you used to master, be first master of the second Truth. For example, back in '76 when the fire broke out in, with the starter. how did you, did you have a normal routine, the way you broke up the shifts between yourself and your second? Like, did you take, was it three hours on, three hours off? Was it-

Roy Hauser ([02:19:14](#)):

I took the last watch coming into an island because I wanted to see what the weather conditions were like so that I could then better determine where the best stop was to anchor.

Joe ([02:19:30](#)):

Okay. Would you ever have allowed a situation where all of the crew and all of the masters and captains aboard the second Truth or the Conception were all asleep at the same time?

Roy Hauser ([02:19:42](#)):

No.

Joe ([02:19:42](#)):

Why not?

Roy Hauser ([02:19:44](#)):

Well because you don't want your boat to end up on the rocks at the middle of the morning.

Joe ([02:19:49](#)):

If there was anchor drift?

Roy Hauser ([02:19:51](#)):

Well, yeah. You have an anchor watch. Always.

Joe ([02:19:54](#)):

Okay. And would it also be helpful if a fire broke out like it did on the, on, on the, in 1976 with the Starter, it's also helpful to have somebody awake to smell the fire, detect for that, right?

Roy Hauser ([02:20:09](#)):

Yes. Yes.

Joe ([02:20:11](#)):

So that was how you operated the vessel when you were in charge?

Roy Hauser ([02:20:14](#)):

Yes.

Joe ([02:20:15](#)):

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The crew, there was never an occasion where the, a- all the deckhands, all the galley mates, and all the masters were asleep? You would not have allowed that?

Roy Hauser ([02:20:23](#)):

Unless we were in Avalon Harbor.

Joe ([02:20:25](#)):

Okay. But definitely not when you were out on the sea-

Roy Hauser ([02:20:30](#)):

No.

Joe ([02:20:31](#)):

... with passengers below deck? You would not have allowed all crew members, all galley mates, and all the masters to be asleep? Including yourself?

Roy Hauser ([02:20:46](#)):

That had happened. That had happened.

Joe ([02:20:50](#)):

Okay. Well you told us you wouldn't do it. I mean, you literally just said that a minute ago. But now you're telling us-

Roy Hauser ([02:20:56](#)):

Well I'm thinking back as you ask me, to be honest with you. And I am being honest with you.

Joe ([02:21:01](#)):

Okay. So tell me about those occasions, as you remember them. What would be the circumstances where, where you would allow that to happen?

Roy Hauser ([02:21:16](#)):

We were in Avila Beach, in our trip up the coast. And the crew went to the hot tubs in Avila Beach. I stayed aboard the boat and I went to sleep. So it did happen. But it wasn't a, it's not a common occurrence.

Joe ([02:21:37](#)):

Okay. In fact it's, it sounds like it's so uncommon that you remember the one specific time.

Roy Hauser ([02:21:47](#)):

I gotta be, yes. That's it.

Joe ([02:22:01](#)):



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Okay. Is this complicated enough that you guys need to maintain sort of a, uh, a shift? I don't know what you call it. A shift or, or a, uh, would you call it a shift schedule?

Speaker 8 ([02:22:13](#)):

A watch schedule?

Joe ([02:22:15](#)):

A what?

Speaker 8 ([02:22:16](#)):

A watch schedule.

Joe ([02:22:16](#)):

Would, d- did you, did you have to maintain a watch schedule or shift schedule to keep it straight or is it small enough number of people that's it pretty easy to keep-

Roy Hauser ([02:22:23](#)):

An hour and a half on, an hour and a half off. Or the rest of the night off. You can't keep a guy up all night long unless you hire another crewmen. Then, you know, maybe the coast guard's gonna do a no manning law. I don't know.

Joe ([02:22:41](#)):

Do you have a sense of what, how much extra cost would that add to add another crewmen?

Roy Hauser ([02:22:47](#)):

I don't even know what they're playing a crewmen today so I have no idea.

Joe ([02:22:54](#)):

But you didn't keep shift logs or-

Roy Hauser ([02:22:56](#)):

What is the Tariff Laws gonna cost? How much you gonna pay for a refrigerator that came from China?

Joe ([02:23:03](#)):

I don't really care because quite frankly I see China as a, a threat.

Roy Hauser ([02:23:04](#)):

I really don't either. And I really don't care about what the crew costs today or what those laws are. Or I mean, how much is it gonna, I don't know.

Joe ([02:23:15](#)):

So you didn't have any shift logs or watch, watch logs?

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Roy Hauser (02:23:18):

No.

Joe (02:23:18):

Okay. It was pretty easy to make sure that at least one person was up.

Roy Hauser (02:23:22):

Yes. Yes.

Joe (02:23:24):

And you did that except for this one incident?

Roy Hauser (02:23:25):

At Avilla Beach, yeah.

Joe (02:23:25):

At Avilla Beach with the hot tubs, okay. Let's talk about your, your interview at the LA Times when, do you remember what you told them?

Roy Hauser (02:23:43):

Yeah, I wish I hadn't opened my mouth. I don't even recall. I was just so pissed off about the whole thing.

Joe (02:23:55):

Well, I, I guess I have it. I'm sorry (laughs). My memory's not so good. Yeah, it's okay. Uh, it's here somewhere.

Roy Hauser (02:24:02):

Because they're saying, "Oh, it's the propane tanks they got on the boat."

Joe (02:24:06):

The what?

Roy Hauser (02:24:06):

The propane tanks. And we don't allow propane on our boats. This, this, and then it was that. And I just got so angry with what was being said.

Joe (02:24:17):

Can I read this to you?

Roy Hauser (02:24:18):

Sure.

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Joe ([02:24:19](#)):

Roy Hauser, who designed the Conception and commissioned it's construction in 1981 suggested another, I guess another reason for fire. He said he thought, based in part on footage he viewed of the wood hulled boat being ravished by fire, that the blaze started in the bunk area and spread so rapidly that the 34 people there could not get out.

([02:24:45](#)):

Do you remember saying that to the reporter?

Roy Hauser ([02:24:47](#)):

Yeah.

Joe ([02:24:47](#)):

Okay.

Roy Hauser ([02:24:47](#)):

And that's what I, I now thought. Just by looking at the footage on TV. The sides of the hull are gone but the stern section and the shower compartment and forward into the chain locker are completely intact. So it was my belief in what I saw on TV that it started inside and worked it's way up. That's an assumption and Dana came over to my house the next day or a couple days later and said, "Roy, stop speculating. Stop talking." That's why I wouldn't talk to you guys, that's why I didn't talk to anybody. Because I was advised shut up and be dumb.

([02:25:39](#)):

I don't know what started that fire. But it wasn't the... I don't know, it wasn't the crew who started the fire. I, I don't-

Joe ([02:25:48](#)):

Well did somebody think that the crew started the fire on purpose?

Roy Hauser ([02:25:50](#)):

I don't know anything.

Joe ([02:25:50](#)):

Okay.

Roy Hauser ([02:25:50](#)):

I don't know anything.

Joe ([02:25:57](#)):

It sounds like you're suspicious of the lithium batteries though.

Roy Hauser ([02:26:00](#)):

I'm suspicion of everything.

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Joe ([02:26:05](#)):

Did you ever have problems or, with the lithium batteries or is that, that came after you divorced from the company?

Roy Hauser ([02:26:12](#)):

That's long after I was gone.

Joe ([02:26:14](#)):

Okay.

Roy Hauser ([02:26:14](#)):

I'm so fucking heart broken over this.

Joe ([02:26:16](#)):

All right. That's all the questions I have for now. I don't know, Chris, or Haime if you have a limited numbers of questions you'd like to ask?

Speaker 9 ([02:26:25](#)):

So I do have just a few questions, just about everything was already covered and I know this has been very exhausting for you. Um, going back to the, the original construction of the, of the vessel. Did you had, you mentioned that the plans were approved. Is that right?

Roy Hauser ([02:26:40](#)):

Absolutely.

Speaker 9 ([02:26:41](#)):

So the plans, did they have to be approved in order for you to operate the vessel commercially?

Roy Hauser ([02:26:46](#)):

Absolutely.

Speaker 9 ([02:26:47](#)):

And what was your impression on the reason for the approval of the plans?

Roy Hauser ([02:26:54](#)):

Well I couldn't get it built without them.

Speaker 9 ([02:26:56](#)):

Okay. Wh- why do you think the Coast Guard requires plans to be approved?

Roy Hauser ([02:27:04](#)):

The safety of passengers and, you know, it's the whole idea.

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Speaker 9 ([02:27:08](#)):

Okay. So you also mentioned that, um, you and, and Mr. Fritzler had made some modifications, uh, do you recall that? A fan in the, on a bulkhead into the engine room? From the engine room into a drying space?

Roy Hauser ([02:27:24](#)):

Th- th- that was, no. That was built when we, when we built the boat.

Speaker 9 ([02:27:28](#)):

That was part of the origina-

Roy Hauser ([02:27:30](#)):

We, on the Truth, after having success with the Conception, we came back to the Truth and re modified some of the things on that boat. We built a long single compartment that led from the engine room into what they call the lazarette or stern compartment.

Speaker 9 ([02:27:51](#)):

Yes sir.

Roy Hauser ([02:27:52](#)):

Okay? So we redesigned the Truth after having success with the design on the Conception.

Speaker 9 ([02:28:00](#)):

Okay.

Roy Hauser ([02:28:01](#)):

The design on the Conception was always that we had a fan that was reversible. So it blew when the engines were in operation and needed air, the fan would blow air into the engine compartment. And then we had two fans on port and starboard underneath the deck seating that blew air into the engine room.

Speaker 9 ([02:28:27](#)):

Mm-hmm.

Roy Hauser ([02:28:28](#)):

Those V12, in those years we used V12 71s, required a lot of air.

Speaker 9 ([02:28:34](#)):

Mm-hmm.

Roy Hauser ([02:28:35](#)):

So we forced air into the engine room. At night, when the divers would hang their wetsuits up in the stern compartment, we reversed the fan so that it took the hot air from the engine room, blew it into

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the stern compartment so that it would dry their wetsuits. It was the drying room, the stern compartment.

Speaker 9 ([02:28:59](#)):

Okay. So on the-

Roy Hauser ([02:29:00](#)):

But we never redesigned anything after its original.

Speaker 9 ([02:29:03](#)):

Okay. No, no modifications on the Conception that you know of?

Roy Hauser ([02:29:08](#)):

Other than the anchor wench mechanism that Glen did.

Speaker 9 ([02:29:13](#)):

Okay. So when a modification like that was done was it, was it introduced to the Coast Guard to get it inspected?

Roy Hauser ([02:29:22](#)):

Uh, I, I, yeah, I don't know.

Speaker 9 ([02:29:24](#)):

Okay. But the fan modification that you advised on-

Roy Hauser ([02:29:26](#)):

There was never any fan modification.

Speaker 9 ([02:29:30](#)):

That, that was, that wasn't a modification on, on the Conception, that was part of the original construction?

Roy Hauser ([02:29:35](#)):

No, that was the original building. It was in, in, it, yeah.

Speaker 9 ([02:29:41](#)):

Okay. So, um, the fire that you had on board. Uh, whi- which vessel was that with the starter?

Roy Hauser ([02:29:49](#)):

Truth.

Speaker 9 ([02:29:49](#)):

Okay.

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Roy Hauser ([02:29:50](#)):

1976.

Speaker 9 ([02:29:50](#)):

Okay. Um, when that fire occurred, was there any notifications made to the Coast Guard?

Roy Hauser ([02:30:00](#)):

No. I went in, I was turned around, we came back to the dock.

Speaker 9 ([02:30:04](#)):

Mm-hmm.

Roy Hauser ([02:30:04](#)):

We got the, it's all fixed up, it was done.

Speaker 9 ([02:30:08](#)):

Was there passengers for hire on board when the fire hit?

Roy Hauser ([02:30:11](#)):

Oh, yeah. Yeah, we were on our way to Cortes Banks.

Speaker 9 ([02:30:23](#)):

Okay. Are captains ever deadheads?

Roy Hauser ([02:30:25](#)):

Hmm?

Speaker 9 ([02:30:25](#)):

Captains. If you're gonna look at bringing on a new captain in this industry, is it common to have a captain or a second captain operate as a deadhead before-

Roy Hauser ([02:30:34](#)):

A- a- anybody who, when I was running the boat, nobody got on the boat cold turkey. They had to come out, they had to, basically it's an interview.

Speaker 9 ([02:30:47](#)):

Okay.

Roy Hauser ([02:30:47](#)):

Go on a trip, be with us.

Speaker 9 ([02:30:50](#)):

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And what type of training is provided, um, for new, new hires? New captains, new, new deckhands during their deadhead time?

Roy Hauser ([02:30:59](#)):

The, that's their training. I mean, they, they come out. They see what the crew does, they see how we work, they see our operation and if they fit the bill then they get the job.

Speaker 9 ([02:31:14](#)):

Is there any type of formal, um, industry, like, checklist? Like-

Roy Hauser ([02:31:17](#)):

Well n- now, n- now it has to be drug testing.

Speaker 9 ([02:31:20](#)):

Mm-hmm.

Roy Hauser ([02:31:21](#)):

But in the days when I was operating the vessel it was not.

Speaker 9 ([02:31:25](#)):

How about training such as, um, like a company list. Like, on our boats we have generators and here's how you start them and we have fire pumps and here's how to operate those, and we have, this is where we store our life jackets.

Roy Hauser ([02:31:37](#)):

No.

Speaker 9 ([02:31:37](#)):

Is there any guidance on how to teach people what to do?

Roy Hauser ([02:31:39](#)):

Not when I was on the boats.

Speaker 9 ([02:31:39](#)):

Okay.

Joe ([02:31:43](#)):

Do you know if there's anything like that now or no?

Roy Hauser ([02:31:45](#)):

I do not know.

Speaker 9 ([02:31:45](#)):



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Were you underway or were you at anchor when the fire occurred on, on the Truth?

Roy Hauser ([02:31:53](#)):

I was underway.

Speaker 9 ([02:31:56](#)):

So was it a main diesel engine or a generator?

Roy Hauser ([02:31:58](#)):

Main diesel and st- starboard engine.

Speaker 9 ([02:32:01](#)):

Okay. All right. So when, when you were involved with the company and you would receive the certificate of inspection from the Coast Guard, um, would you, did you review it?

Roy Hauser ([02:32:17](#)):

No. I just, I did not.

Speaker 9 ([02:32:22](#)):

Okay.

Roy Hauser ([02:32:22](#)):

[inaudible 02:32:23] okay, sign off, we're good. Let's go.

Speaker 9 ([02:32:25](#)):

So you didn't check it to see if there was any changes or modifications made to this by the Coast Guard?

Roy Hauser ([02:32:32](#)):

No, I did not.

Speaker 9 ([02:32:32](#)):

Okay. Was there any requirement to have any of the crew members or the second captain or any other, um, employees that were operating in the capacity of crew member or captain or ma- vessel master to read this by the company?

Roy Hauser ([02:32:45](#)):

No.

Speaker 9 ([02:32:45](#)):

Okay. So, um, you, you're storing items here for Mr. Fitz- uh, Fritzler and that's an agreement between the two of you. Is there anything else other than parts and, um, you know, maintenance items or were you also maintaining any, uh, records or documentation for him?

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Roy Hauser ([02:33:12](#)):

No.

Speaker 9 ([02:33:12](#)):

Okay. Was there ever a time that you did store records or documents associated with the business?

Roy Hauser ([02:33:16](#)):

Only when I was running the company out of that room in the back.

Speaker 9 ([02:33:21](#)):

Okay. But what year was that done there?

Roy Hauser ([02:33:24](#)):

Uh, up to 1990, probably 196- '96, '96 or '97 and they come and they took the records and we had the landing down there and so he moved all the records and things down to sea landing.

Speaker 9 ([02:33:47](#)):

Okay. But after '96 no records were maintained here? People that worked for the company didn't deliver anything here? Any tax records or-

Roy Hauser ([02:33:57](#)):

Payroll checks and things that I signed.

Speaker 9 ([02:34:00](#)):

Okay. Those were maintained here after, after that time?

Roy Hauser ([02:34:05](#)):

N- no.

Speaker 9 ([02:34:05](#)):

Oh.

Roy Hauser ([02:34:06](#)):

I would sign the checks and they would take them away.

Speaker 9 ([02:34:08](#)):

I see. They just bring them, you would take care of them, and then back they would go.

Roy Hauser ([02:34:11](#)):

In Glen or Dana's absence, I still sign checks.

Speaker 9 ([02:34:14](#)):

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Okay. And after the, the Truth number one, your first vessel, after that grounding, um, any other vessels hit, hit, touch bottom that you know of?

Roy Hauser ([02:34:27](#)):

Not that I know of.

Speaker 9 ([02:34:29](#)):

Okay. Um, and did, did the Conception get stolen?

Roy Hauser ([02:34:39](#)):

Yeah. It did. And it was taken up to Vandenberg and ran aground.

Speaker 9 ([02:34:44](#)):

Okay. You were part of, uh, you were involved with the company at that time when you got it repaired?

Roy Hauser ([02:34:50](#)):

No. No.

Speaker 9 ([02:34:50](#)):

Oh. Okay.

Roy Hauser ([02:34:51](#)):

Just heartbroken.

Speaker 9 ([02:34:53](#)):

So that was the only other time that you know, knew of one of the vessels getting grounded?

Roy Hauser ([02:34:58](#)):

Yeah.

Speaker 9 ([02:34:59](#)):

Okay. That's all I have.

Joe ([02:35:02](#)):

All right, I've got just a... do you have any questions?

Speaker 8 ([02:35:03](#)):

Yeah, just a few.

Joe ([02:35:04](#)):

Okay.

Speaker 8 ([02:35:04](#)):

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If, if you wanna wrap it up when we're, you know.

Joe ([02:35:06](#)):

No. Yeah, you bet.

Speaker 8 ([02:35:07](#)):

Hey, Roy, I wanted to tell you, you mentioned Crawford. Uh, that's where I took my first rules of the road test.

Roy Hauser ([02:35:13](#)):

Well his son took over after the old man died.

Speaker 8 ([02:35:16](#)):

So I took it out of Seattle.

Roy Hauser ([02:35:18](#)):

Yeah, that's when they moved it up there.

Speaker 8 ([02:35:19](#)):

Oh, okay. There you go.

Roy Hauser ([02:35:20](#)):

But this was in Wilmington when the old man was still around.

Speaker 8 ([02:35:23](#)):

Gotcha. Gotcha.

Roy Hauser ([02:35:23](#)):

You-

Speaker 8 ([02:35:24](#)):

They're good people.

Roy Hauser ([02:35:25](#)):

Oh, absolutely. That old man was sharper than a tack.

Speaker 8 ([02:35:29](#)):

(laughs)

Roy Hauser ([02:35:30](#)):

He came in and interviewed us a couple time.

Speaker 8 ([02:35:33](#)):

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Yeah? Very cool.

Roy Hauser ([02:35:34](#)):

Yeah.

Speaker 8 ([02:35:35](#)):

Well, yeah, I just wanna hit a couple things here real quick, Roy, if you don't mind. Um, so on the Conception, could you tell me how to turn on a fire pump on the Conception?

Roy Hauser ([02:35:47](#)):

Uh, port and starboard side there are fire hoses.

Speaker 8 ([02:35:50](#)):

Mm-hmm.

Roy Hauser ([02:35:50](#)):

And in east, uh, side there is a start and stop button.

Speaker 8 ([02:35:56](#)):

Okay. Right at the fire hose?

Roy Hauser ([02:35:58](#)):

Right in, in the compartment.

Speaker 8 ([02:35:59](#)):

Okay.

Roy Hauser ([02:36:00](#)):

You open the compartment, start.

Speaker 8 ([02:36:02](#)):

Got it. So one on port, one on starboard, right at the station, and where else?

Roy Hauser ([02:36:10](#)):

Yep. Those are the only three that I ever recall. We had port and starboard.

Speaker 8 ([02:36:15](#)):

Mm-hmm.

Roy Hauser ([02:36:17](#)):

Right outside the aft, uh, captain, uh, cabin. You come up to a walkway and take a couple steps.

Speaker 8 ([02:36:27](#)):

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Mm-hmm.

Roy Hauser ([02:36:27](#)):

You know, the fire hose box, pull it out, push the start button.

Speaker 8 ([02:36:34](#)):

I like what you're doing. Stay there in your minds eye and go up to the bridge now. And on the wheelhouse, can you turn it on from up there?

Roy Hauser ([02:36:43](#)):

I don't recall that.

Speaker 8 ([02:36:45](#)):

What about in the engine room?

Roy Hauser ([02:36:48](#)):

I don't recall that.

Speaker 8 ([02:36:49](#)):

Okay.

Roy Hauser ([02:36:50](#)):

Remember, I remember in the years when we got licensed.

Speaker 8 ([02:36:53](#)):

Uh-huh.

Roy Hauser ([02:36:54](#)):

In fact, it's kind of embarrassing because you gotta drop your anchor and pull it up.

Speaker 8 ([02:36:58](#)):

Mm-hmm.

Roy Hauser ([02:36:59](#)):

But in my design of the anchor, uh, roller, we got the anchor up but it wouldn't come up and over.

Speaker 8 ([02:37:10](#)):

Uh-huh. Gotcha.

Roy Hauser ([02:37:12](#)):

And when we did the fire test, the electrician had it wired backwards.

Speaker 8 ([02:37:17](#)):

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Gotcha.

Roy Hauser ([02:37:18](#)):

So when we turned on the fire hose, instead of going shh, it went pshh.

Speaker 8 ([02:37:24](#)):

Who wired that?

Roy Hauser ([02:37:26](#)):

What?

Speaker 8 ([02:37:26](#)):

Who wired that?

Roy Hauser ([02:37:28](#)):

Ron Short.

Speaker 8 ([02:37:30](#)):

And this-

Roy Hauser ([02:37:30](#)):

(laughs) His name was Ron Short.

Speaker 8 ([02:37:33](#)):

Is this the one-

Roy Hauser ([02:37:33](#)):

And he was the wire-

Speaker 8 ([02:37:33](#)):

Which boat?

Roy Hauser ([02:37:35](#)):

Conception!

Speaker 8 ([02:37:35](#)):

Oh, gotcha. Okay.

Roy Hauser ([02:37:36](#)):

So we went on our sea trials.

Speaker 8 ([02:37:38](#)):

Yeah.

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Roy Hauser ([02:37:39](#)):

One, we couldn't pull the anchor and two, instead of going shh with the fire hose it went pshh.

Speaker 8 ([02:37:45](#)):

You don't want that.

Roy Hauser ([02:37:46](#)):

No. But he was aboard the boat so he went down there and switched the wires so now the fire hose work.

Speaker 8 ([02:37:53](#)):

Gotcha. Gotcha.

Roy Hauser ([02:37:54](#)):

Okay?

Speaker 8 ([02:37:54](#)):

Okay.

Roy Hauser ([02:37:55](#)):

We came in, I took the roller off, modified the roller, second fire, uh, second anchor pull test, we passed it.

Speaker 8 ([02:38:05](#)):

Gotcha.

Roy Hauser ([02:38:05](#)):

Those were two deficiencies before we could get our license. Then we had to go through the stability test.

Speaker 8 ([02:38:12](#)):

Which, which license you mean? Sorry.

Roy Hauser ([02:38:14](#)):

For certificate of inspection.

Speaker 8 ([02:38:15](#)):

Oh, gotcha. Coast Guard stuff, yeah.

Roy Hauser ([02:38:17](#)):

Yeah, yeah, the Coast Guard. We went out and did the, the whole nine yards. Drop the anchor, pull it.

Speaker 8 ([02:38:23](#)):



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About what year was it?

Roy Hauser ([02:38:25](#)):

Well, we got it up but we couldn't really kind of get it up.

Speaker 8 ([02:38:27](#)):

What year was that, you think, Roy?

Roy Hauser ([02:38:28](#)):

Oh, it was '80, 1980 when the boat was-

Speaker 8 ([02:38:32](#)):

Oh, the sea trials before it was, like, fully delivered? The Conception?

Roy Hauser ([02:38:34](#)):

Oh, yeah, well, no, the boat was delivered.

Speaker 8 ([02:38:37](#)):

Yeah.

Roy Hauser ([02:38:38](#)):

But now you gotta go out and do sea trials.

Speaker 8 ([02:38:39](#)):

This was for your first COI?

Roy Hauser ([02:38:40](#)):

What?

Speaker 8 ([02:38:42](#)):

Your, for your first certificate of inspection for Conception?

Roy Hauser ([02:38:45](#)):

Wh- yeah, yeah, yeah.

Speaker 8 ([02:38:45](#)):

Gotcha.

Roy Hauser ([02:38:46](#)):

Because you take the, you take the Coast Guard out on boat.

Speaker 8 ([02:38:49](#)):

Yep, yep.

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Roy Hauser ([02:38:49](#)):

You gotta go full speed ahead, stop, reverse in a certain distance.

Speaker 8 ([02:38:56](#)):

Mm-hmm. Gotcha. Yeah.

Roy Hauser ([02:38:56](#)):

You gotta go full port, full starboard.

Speaker 8 ([02:38:59](#)):

Sure.

Roy Hauser ([02:38:59](#)):

You gotta recognize the vessel works. Let's see if the fire system works.

Speaker 8 ([02:39:03](#)):

Right, right.

Roy Hauser ([02:39:04](#)):

Turn the fire button on and it went pshh.

Speaker 8 ([02:39:07](#)):

Gotcha.

Roy Hauser ([02:39:07](#)):

So he went down, rewired it, we got it going.

Speaker 8 ([02:39:10](#)):

Gotcha.

Roy Hauser ([02:39:11](#)):

Pull the anchor, drop the anchor. Well we dropped the anchor. Pulling the anchor was a little different story.

Speaker 8 ([02:39:17](#)):

Yeah.

Roy Hauser ([02:39:18](#)):

So the guy allowed me two days, get this fixed, I'll come back, you drop it at the dock, pull it.

Speaker 8 ([02:39:29](#)):

Gotcha.

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Roy Hauser ([02:39:29](#)):

When you're doing your stability test, because you still gotta do your [inaudible 02:39:36] stability test.

Speaker 8 ([02:39:37](#)):

Yeah. Yeah. Mm-hmm.

Roy Hauser ([02:39:37](#)):

So I got the anchor wench roller fixed, came back, they ran the stability test. He says, "I wanna see you pull that anchor." Pull the anchor and the inspector said, "Okay. You can at least pull an anchor now and you can put out a fire with your fire hoses."

Speaker 8 ([02:39:53](#)):

Gotcha. Gotcha.

Roy Hauser ([02:39:54](#)):

But as far as turning the fire hoses on up above, I don't recall.

Speaker 8 ([02:39:59](#)):

You remember a red and a green button? If you're look, if you're dead center, you got the wheel right in front of you-

PART 5 OF 6 ENDS [02:40:04]

Speaker 8 ([02:40:03](#)):

... red and a green button, if you're look- if you're dead center, you got the wheel right in front of you on Conception. The overhead, there's a red and a green button, right up here to the right, just above you. You know what those do?

Roy Hauser ([02:40:13](#)):

No.

Speaker 8 ([02:40:13](#)):

Okay.

Roy Hauser ([02:40:13](#)):

No. Not now. I mean-

Speaker 8 ([02:40:14](#)):

Gotcha.

Roy Hauser ([02:40:17](#)):

That-that- that had to be something that it required later on.

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Speaker 8 ([02:40:18](#)):

Gotcha. What type of stuff, Roy, would you say is running at night?

Roy Hauser ([02:40:23](#)):

A what?

Speaker 8 ([02:40:23](#)):

What type of, uh, machinery would you say is run-

Roy Hauser ([02:40:27](#)):

A generator and the two mains.

Speaker 8 ([02:40:28](#)):

The mains run all night at anchor?

Roy Hauser ([02:40:30](#)):

Oh, not all night.

Speaker 8 ([02:40:31](#)):

Yeah.

Roy Hauser ([02:40:31](#)):

No, no. The generator.

Speaker 8 ([02:40:33](#)):

Yeah. So, at anchor what-what is running?

Roy Hauser ([02:40:36](#)):

371, well, that- I- that's when I ran the boat.

Speaker 8 ([02:40:40](#)):

Yeah.

Roy Hauser ([02:40:41](#)):

Generator. And-

Speaker 8 ([02:40:42](#)):

Just-

Roy Hauser ([02:40:43](#)):

... and fan motors.

Speaker 8 ([02:40:44](#)):

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Okay.

Roy Hauser ([02:40:44](#)):

You know, fans going through the bunk room and-

Speaker 8 ([02:40:47](#)):

Gotcha.

Roy Hauser ([02:40:47](#)):

... air circulation.

Speaker 8 ([02:40:48](#)):

Okay. I- I hear you. Um. Uh, is it safe to say the crew is just kinda up and about all day helping people out? Uh, you know, the deckhands for example, they're- they're going here, they're going there, they're helping with tanks, they're charging the- I mean, they're up and about all day, is that safe to say?

Roy Hauser ([02:41:07](#)):

Yes.

Speaker 8 ([02:41:08](#)):

Does-Is- Would the crew, to your knowledge, be, um, like resting during the day ever? Like racking out up on the-on-up on the bunks?

Roy Hauser ([02:41:15](#)):

Yeah. We, uh, we had a couple guys that, uh-

Speaker 8 ([02:41:18](#)):

Yeah.

Roy Hauser ([02:41:18](#)):

... I had one guy that used to do that. Yeah.

Speaker 8 ([02:41:21](#)):

Okay. Gotcha. Um. To go way back here, I wanted to touch real quick, if you don't mind, um, who was captaining the first Truth with that incident? Uh, when-when it ran up on a reef? The very, very first Truth. That was you? And that wa-...And it was-

Roy Hauser ([02:41:39](#)):

1972. February, 1972. San Clemente island.

Speaker 8 ([02:41:45](#)):

Gotcha.

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Roy Hauser ([02:41:45](#)):

Just above Northwest Harbor off Castle Rock. Or what has been called Target Rock, 'cause the Navy in those days, they used to use airplanes and fire live torpedoes-

Speaker 8 ([02:41:58](#)):

Oh, wow.

Roy Hauser ([02:41:58](#)):

... and shot into that rock.

Speaker 8 ([02:42:00](#)):

S-so that-

Roy Hauser ([02:42:01](#)):

I would always question-

Speaker 8 ([02:42:01](#)):

Uh-huh.

Roy Hauser ([02:42:02](#)):

... and I would always caution-

Speaker 8 ([02:42:04](#)):

Yeah.

Roy Hauser ([02:42:05](#)):

... the divers, whenever we dove up near Target Rock, Castle Rock-

Speaker 8 ([02:42:09](#)):

Watch out.

Roy Hauser ([02:42:10](#)):

... do not pick up anything off the bottom.

Speaker 8 ([02:42:13](#)):

Mm. And was it a passenger vessel then? The original-

Roy Hauser ([02:42:18](#)):

Yeah, yeah, yeah, yeah. Yeah, it was a sport fishing-

Speaker 8 ([02:42:18](#)):

And you had passengers on board?

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Roy Hauser ([02:42:20](#)):

Well, it was a sport fishing vessel, built in 1965. I purchased it with the aid of financing in 1970.

Speaker 8 ([02:42:28](#)):

Was that one of those six-pack jobs? Like six passengers-

Roy Hauser ([02:42:31](#)):

No, no.

Speaker 8 ([02:42:31](#)):

... or-

Roy Hauser ([02:42:32](#)):

No, no, no. It was a full on di-... uh, full on... licensed for 49 passengers.

Speaker 8 ([02:42:38](#)):

Okay.

Roy Hauser ([02:42:38](#)):

... 56 by 18.

Speaker 8 ([02:42:40](#)):

Gotcha. Um, the uh, back to what Chris was asking you real-quick on the uh, that fire y'all had on the Truth where you smelled it.

Roy Hauser ([02:42:51](#)):

Yeah.

Speaker 8 ([02:42:51](#)):

Did you get an alarm on the bridge for that?

Roy Hauser ([02:42:53](#)):

No.

Speaker 8 ([02:42:54](#)):

Was there an alarm for that?

Roy Hauser ([02:42:56](#)):

No.

Speaker 8 ([02:42:57](#)):

There was no sensors in the engine room-

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Roy Hauser ([02:42:58](#)):

No.

Speaker 8 ([02:42:59](#)):

... or nothing like that?

Roy Hauser ([02:43:00](#)):

My crewman, Ken Kivett-

Speaker 8 ([02:43:01](#)):

Mm-hmm.

Roy Hauser ([02:43:02](#)):

... was, uh, and is, if he's still alive, we were driving on a trip up the coast one day, one night. And we went by Coal Oil Point, it's in a U-University point.

Speaker 8 ([02:43:17](#)):

Mm-hmm.

Roy Hauser ([02:43:18](#)):

Also called Coal Oil Point.

Speaker 8 ([02:43:20](#)):

Gotcha.

Roy Hauser ([02:43:21](#)):

He woke up. 'Cause he could smell the diesel.

Speaker 8 ([02:43:26](#)):

Got it.

Roy Hauser ([02:43:26](#)):

He could smell the oil off-off the water.

Speaker 8 ([02:43:29](#)):

Yeah.

Roy Hauser ([02:43:29](#)):

Coal Oil Point. He could smell it.

Speaker 8 ([02:43:32](#)):

Oh, I hear ya. Yeah.



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Roy Hauser ([02:43:33](#)):

He woke up. And he says, "Smell that?" I opened the side window in the wheel house, "Yeah."

Speaker 8 ([02:43:40](#)):

So it woke him up? And then he-

Roy Hauser ([02:43:41](#)):

Yeah, the smell.

Speaker 8 ([02:43:42](#)):

Yeah. Gotcha.

Roy Hauser ([02:43:44](#)):

Just going by Coal Oil Point.

Speaker 8 ([02:43:46](#)):

Yeah.

Roy Hauser ([02:43:47](#)):

So yeah, we smelled it.

Speaker 8 ([02:43:49](#)):

That original Truth, back to that one, that got ran aground when you were the captain right? Um-

Roy Hauser ([02:43:54](#)):

Yeah.

Speaker 8 ([02:43:55](#)):

... Was-did that have a COI, also, a certificate of inspection?

Roy Hauser ([02:43:59](#)):

Oh, absolutely.

Speaker 8 ([02:43:59](#)):

Yeah. Did you report that to the coast guard?

Roy Hauser ([02:44:02](#)):

(laughs) Well, I lost my license for a year over that. Because-

Speaker 8 ([02:44:06](#)):

Why?

Roy Hauser ([02:44:07](#)):

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... they called it inattention to duty.

Speaker 8 ([02:44:09](#)):

Gotcha. Did you ever have to change your name for any legal reasons or-

Roy Hauser ([02:44:13](#)):

No.

Speaker 8 ([02:44:13](#)):

Has you always had the same last name?

Roy Hauser ([02:44:16](#)):

No. I was born Bradford.

Speaker 8 ([02:44:20](#)):

I see. And do you mind telling me Roy why-why you changed it?

Roy Hauser ([02:44:25](#)):

Because in the third grade I got tired of writing Bradford-

Speaker 8 ([02:44:29](#)):

Mm-hmm.

Roy Hauser ([02:44:29](#)):

... my step-father, who was a longshoreman-

Speaker 8 ([02:44:32](#)):

Mm-hmm.

Roy Hauser ([02:44:34](#)):

... did not see any reason to go through the problems of adopting me.

Speaker 8 ([02:44:41](#)):

Mm.

Roy Hauser ([02:44:42](#)):

So instead of being adopted and taking or being legally Hauser, I took the name Hauser. And he and my mother had to go to the school and when I got my first passport-

Speaker 8 ([02:45:04](#)):

Mm-hmm.

Roy Hauser ([02:45:04](#)):

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... I had to go through hell. Because my legal name is Bradford.

Speaker 8 ([02:45:10](#)):

Gotcha. And what year did you-

Roy Hauser ([02:45:11](#)):

I-

Speaker 8 ([02:45:12](#)):

... I guess, did you ever legally change it to Hauser or-

Roy Hauser ([02:45:13](#)):

Never legally changed it.

Speaker 9 ([02:45:14](#)):

So when I asked you when we first started, if you were ever went by a different name, you said no.

Roy Hauser ([02:45:23](#)):

No, I don't recall that. But-

Speaker 9 ([02:45:24](#)):

Okay.

Roy Hauser ([02:45:25](#)):

... I'm sorry I... No, I-I've gone, since I was like maybe in the third grade-

Speaker 8 ([02:45:32](#)):

Mm-hmm.

Roy Hauser ([02:45:32](#)):

... by Hauser.

Speaker 8 ([02:45:34](#)):

Yeah.

Roy Hauser ([02:45:35](#)):

My passport has Bradford-

Speaker 8 ([02:45:39](#)):

Gotcha.

Roy Hauser ([02:45:39](#)):

... AKA Hauser.

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Speaker 8 ([02:45:41](#)):

Gotcha. So your step-dad, I'm sorry, was Hauser, right?

Roy Hauser ([02:45:45](#)):

Yeah.

Speaker 8 ([02:45:45](#)):

Okay, gotcha.

Roy Hauser ([02:45:47](#)):

I never knew my real dad.

Speaker 8 ([02:45:49](#)):

S-s-so I just got kinda one more and then I'll turn it back over to uh, Joe here for you Roy. Um, if it was just you and uh, and Glenn, underway and your racked out at night, anchored up, everything's fine and everything's dandy, what would make you feel safe if Glenn told yeah, "Hey, I got the watch."? What would give you a warm and fuzzy? If Glenn had, you know, c-control, of the ship or that he-

Roy Hauser ([02:46:24](#)):

Absolutely everything.

Speaker 8 ([02:46:25](#)):

... the watch. What kinds of things that he showed you, would make-

Roy Hauser ([02:46:29](#)):

I mean I-Uh-Uh- If Glenn said, "I got it,"-

Speaker 8 ([02:46:33](#)):

Mm-hmm.

Roy Hauser ([02:46:34](#)):

... he's got it.

Speaker 8 ([02:46:39](#)):

And what would lead you to believe that?

Roy Hauser ([02:46:42](#)):

Knowing him.

Speaker 8 ([02:46:46](#)):

Mm. 'Cause he's nice? Or 'cause he's-

Roy Hauser ([02:46:48](#)):

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No.

Speaker 8 ([02:46:48](#)):

... skilled or because he's-

Roy Hauser ([02:46:49](#)):

Since he was thirteen years old and working for me.

Speaker 8 ([02:46:52](#)):

Gotcha.

Roy Hauser ([02:46:53](#)):

Never lied to me. Never cheated me.

Speaker 8 ([02:46:57](#)):

That's good, that's good.

Roy Hauser ([02:46:57](#)):

I have no reason to disbelief that man-

Speaker 8 ([02:47:02](#)):

Mm-hmm.

Roy Hauser ([02:47:02](#)):

... ever.

Speaker 8 ([02:47:03](#)):

Gotcha. Got a good partnership through the years, right?

Roy Hauser ([02:47:06](#)):

My partner and my friend.

Speaker 8 ([02:47:08](#)):

Gotcha. Well thank you, sir, I-I appreciate that.

Roy Hauser ([02:47:12](#)):

Okay.

Joe ([02:47:14](#)):

I think I only have a couple questions. How do you spell Kivetts last name? Ken Kivett.

Roy Hauser ([02:47:18](#)):

K-I-V-E-T-T. He lives in Washington. The state of Washington. I'll give you his phone number if you want.

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Joe ([02:47:26](#)):

Please, that'd be great. Okay.

Roy Hauser ([02:47:28](#)):

Anything else?

Joe ([02:47:29](#)):

Uh, yes. I'm curious, w-when you said that whenever the first Truth to ground that you lost your lic-was suspended, your lice-your-your masters license was-

Roy Hauser ([02:47:39](#)):

I... Yes, it was-

Joe ([02:47:40](#)):

What did the coast guard say that-that-what was the basis of the inattention to duty? What regulation, what rule, what navigation rule did they say that you violated?

Roy Hauser ([02:47:49](#)):

I did not watch the radar properly. And I did not have it calibrated to the distance. The radar that I had at the time, in 1972, was a DECO101. And there were a dial. You would dial it for a half mile, mile, three quarter, whatever it was. I thought I had it on the mile range. And I looked at it, I thought I'd- I got still a mile or mile... whatever it was. I left the bridge. I went down to get a cup of coffee and my way back up to the bridge, we hit that reef. I misread the directions or the distance on that radar. And I was then charged with inattention to duty.

Joe ([02:48:50](#)):

Did you... How did you feel about that? Did you feel that that was fair?

Roy Hauser ([02:48:53](#)):

I was shipped. How did I feel?

Joe ([02:48:54](#)):

No, did you feel it was a fair determination that was-

Roy Hauser ([02:48:57](#)):

Well, yes, it was fair.

Joe ([02:48:58](#)):

Okay.

Roy Hauser ([02:48:59](#)):

I fucked... Okay. I'll go get you this phone number.

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Joe ([02:49:03](#)):

Thank you.

Speaker 8 ([02:49:04](#)):

(laughs).

Roy Hauser ([02:49:04](#)):

I just got to take a minute.

Speaker 9 ([02:49:11](#)):

I got one more follow-up question.

Speaker 8 ([02:49:14](#)):

I think there's an extra file in there if you want to put this.

Joe ([02:49:18](#)):

Oh, yeah.

Speaker 8 ([02:49:18](#)):

There are folders there.

Joe ([02:49:21](#)):

Thank you. May-may I steal this

Speaker 8 ([02:49:21](#)):

Yeah, yeah. They uh-

Joe ([02:49:26](#)):

I guess you can't call me partner-

Speaker 8 ([02:49:27](#)):

You can get anything with consent. Like I consented you can have that copy-

Joe ([02:49:31](#)):

Thank you.

Speaker 8 ([02:49:31](#)):

Yeah.

([02:49:31](#)):

So it was the lady-the lady Crawford that taught the roles of the road course that I was in. I can't-I can't recall her name.

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Roy Hauser ([02:49:59](#)):

Yeah. That shows you things did progress.

Speaker 8 ([02:50:01](#)):

Yeah. (laughs)

Roy Hauser ([02:50:01](#)):

Okay. I told you I don't have a computer.

([02:50:22](#)):

Okay. Ken. Kevitt. K-I-V-E-T-T. 1, area code, is uh, 2-5-3-5-4-9-2-3-0-3.

Joe ([02:50:38](#)):

Thank you, sir.

([02:50:39](#)):

I don't have any more-

Roy Hauser ([02:50:41](#)):

The man that wired-

Joe ([02:50:41](#)):

... questions.

Roy Hauser ([02:50:41](#)):

... the boat, want his number?

Joe ([02:50:43](#)):

Sure.

Speaker 8 ([02:50:45](#)):

Earlier, did you, while you're looking for that Roy, you talked about a guy who did the shaft and propellers. Did you say Hammond, Harmond? Harmon? For Conception.

Roy Hauser ([02:50:54](#)):

Oh, he's dead.

Speaker 8 ([02:50:55](#)):

Oh, gotcha.

Roy Hauser ([02:50:59](#)):

Yeah.

([02:50:59](#)):



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Ron Short. Man who wired the boat. Area code, 8-3-1-6-8-2-4-2-4-4. He's the one that had the fire pump blowing the wrong way.

Speaker 8 ([02:51:14](#)):

Gotcha.

Speaker 9 ([02:51:15](#)):

So... just one last question that I have. Um, were you ever on board when the coast guard inspectors did their inspections?

Roy Hauser ([02:51:24](#)):

In the early years the-

Speaker 9 ([02:51:27](#)):

Okay. When-when they, um, were gonna come do the inspection did they just do a surprise inspection? Or did you know that they were coming?

Roy Hauser ([02:51:34](#)):

We had... We... Yes. There had been occasions. But uh, normally they were... Normally they were conducted on a scheduled basis. But no, I-I had had, on occasion, coast guards show up and say, "We want to look at the boat."

Speaker 9 ([02:51:51](#)):

But-but it was scheduled, for the most part, you said?

Roy Hauser ([02:51:55](#)):

M-m-

Speaker 9 ([02:51:55](#)):

'Cause they had to know if you were gonna be at the pier, I guess, right?

Roy Hauser ([02:51:57](#)):

Well, yeah.

Speaker 9 ([02:51:59](#)):

Okay. And-

Roy Hauser ([02:52:00](#)):

But I recall a couple times (laughing) when they surprised us. But it didn't matter because we didn't have anything... Yeah, okay. Let's go.

Speaker 9 ([02:52:09](#)):

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Did you ever put-have anything or maintain anything on the boat that you knew may not pass inspection?

Roy Hauser ([02:52:13](#)):

Never.

Speaker 9 ([02:52:14](#)):

Okay. Did you ever change your behaviors, uh, as the crew, or the captain, or the owner, knowing that the coast guard was coming?

Roy Hauser ([02:52:24](#)):

Never.

Speaker 9 ([02:52:25](#)):

Okay. Did you ever remove anything from any of the boats, um, in preparation or do any training, or anything in preparation for the inspection?

Roy Hauser ([02:52:35](#)):

Uh-uh the only thing we did in preparation for the coast guard, is pull the life jackets out, in advance, have them lined up, have all of our flares laid out in the galley table, have all of our certificates of operation laid out, the paperwork. So the coast guard, when they came aboard the boat, didn't have to say, "Okay, pull all your life jackets out." No, we had them all pulled out in advance. We had the paperwork laid out on the table. We had the fire extinguishers, the flares, everything that needed to be inspected, out on the tables so the inspector didn't have to waste two to three hours, while we got all this stuff out. I learned that early-on. The inspectors appreciated it. Because they didn't have to spend boot-coos of time... H-how come you're not ready for inspection? We told you we were coming.

([02:53:35](#)):

So we always prepared for inspection.

Speaker 9 ([02:53:38](#)):

Were you changing out um, compressor pumps, uh like you-you showed me the compressors that you have, did you ever change those compressors out while you were owning the company or was it...

Roy Hauser ([02:53:48](#)):

Well, certainly.

Speaker 9 ([02:53:51](#)):

When you changed out machinery like that, was there ever a report made to the coast guard, that you made a-

Roy Hauser ([02:53:56](#)):

No.

Speaker 9 ([02:53:57](#)):

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... machinery change?

Roy Hauser ([02:53:58](#)):

No, because it was just an air compressor that was no lo-you time... How much time does it take to fill a tank-

Speaker 9 ([02:54:06](#)):

Mm-hmm.

Roy Hauser ([02:54:06](#)):

... Right? Normally takes five minutes. When it starts going up to six, eight minutes, somethings wrong with the compressor. Just like having the air tester that you breathe. We took samples of our air, off the boats, took them over to City College and they would do an air analysis of our air. To make sure that the air was still good.

Speaker 9 ([02:54:35](#)):

Okay.

Roy Hauser ([02:54:35](#)):

And we-we had a timeline-

Speaker 9 ([02:54:41](#)):

Mm-hmm.

Roy Hauser ([02:54:41](#)):

... we did this every the-and that procedure continued.

Speaker 9 ([02:54:45](#)):

How 'bout with the generators. Did you ever replace generators when you were on board or working with the company?

Roy Hauser ([02:54:50](#)):

Well, I don't know about re... not when I was running the boat. We had generators that we had to do some top-ends on.

Speaker 9 ([02:54:57](#)):

Okay.

Roy Hauser ([02:54:58](#)):

You know. But-but never like, okay physically remove the entire generating system, pull it out. I did change out the generator on the... Truth from the generating unit. From uh... uh... I had 30KW and I went to a 50KW. And in order to do that we had to go from a s-seventy injector to a ninety injectors. So they could carry the extra load. So we went to a 90 injector. We stayed at more fuel, to operate the

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engine, which then in turn operated the generator. And the reason we did that is because there was more electrical demand.

Speaker 9 ([02:55:50](#)):

Okay.

Roy Hauser ([02:55:51](#)):

We had more electricity need on the boat. So I had to go from a 30KW to a 50KW.

Speaker 9 ([02:55:58](#)):

Okay. I understand.

Roy Hauser ([02:55:59](#)):

So-

Speaker 9 ([02:55:59](#)):

When you made that modification did you notify the coast guard? Was there any inspectors come down to take a look at that to approve it?

Roy Hauser ([02:56:05](#)):

No.

Speaker 9 ([02:56:06](#)):

Okay.

Roy Hauser ([02:56:11](#)):

That was 19... Yeah, that would be 1979.

Speaker 9 ([02:56:12](#)):

Mm-hmm.

Roy Hauser ([02:56:21](#)):

I don't know, it was a year a-a year before I got off that boat. I think it was '78 or '79.

Speaker 9 ([02:56:24](#)):

Okay.

Roy Hauser ([02:56:24](#)):

Yeah.

Speaker 9 ([02:56:25](#)):

How 'bout lights, uh, galley equipment, did any of that, out of any of the boats get changed out while you were operating?

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Roy Hauser ([02:56:35](#)):

Yeah. We were forced to change the lighting out, uh, from the, uh, uh, florescent lighting-

Speaker 9 ([02:56:44](#)):

Mm-hmm.

Roy Hauser ([02:56:45](#)):

... that I had. They were unprodec-unprotected bulbs and, uh, the coast guard came in and said "You have to have," uh, "sealed, sealed fluorescent fixtures." So I got ones that were off of a submarine.

Speaker 9 ([02:57:04](#)):

Mm.

Speaker 8 ([02:57:04](#)):

(laughs).

Speaker 9 ([02:57:06](#)):

Those are going to be sealed- (laughs)

Roy Hauser ([02:57:07](#)):

We ripped the old ones out, put the new ones in. Now they were a sealed, fluorescent fixture.

Speaker 9 ([02:57:13](#)):

Okay. They notified you-

Roy Hauser ([02:57:16](#)):

Oh, yeah, yeah, yeah-

Speaker 9 ([02:57:16](#)):

... that during an inspection, that they saw that?

Roy Hauser ([02:57:18](#)):

Yeah.

Speaker 9 ([02:57:18](#)):

Okay.

Roy Hauser ([02:57:20](#)):

It was a coast guard, came in and they saw these fixtures and said "Those aren't legal." I said, "Okay, what do I gotta do?". Told me what I had to do, I went out and did it.

Speaker 9 ([02:57:28](#)):

Were those fixtures put on in between inspections?

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Roy Hauser ([02:57:31](#)):

No, no, no. They were put on originally-

Speaker 9 ([02:57:34](#)):

Mm.

Roy Hauser ([02:57:34](#)):

... and excepted originally.

Speaker 9 ([02:57:36](#)):

So the regulation changed?

Roy Hauser ([02:57:38](#)):

The... Well, apparently. (laughs) I just followed regulations.

Speaker 9 ([02:57:42](#)):

So, if regulations change, how are you keeping up with the regulation changes?

Roy Hauser ([02:57:47](#)):

Coast guard looks at you and says, "Hey, this isn't good." That's what they did with the lighting.

Speaker 9 ([02:57:52](#)):

So-so what you're saying is, you'll make changes to comply with regulations only when told by the coast guard?

Roy Hauser ([02:58:00](#)):

I don't know when else to do them. If the regulation changes and I'm advised of that regulation change, I change.

Speaker 9 ([02:58:09](#)):

Okay.

Joe ([02:58:11](#)):

Just want to ask you about the location of the electrical panels, and where they feed to.

Speaker 9 ([02:58:16](#)):

Sure.

Speaker 8 ([02:58:16](#)):

Yeah. Um, we were curious, Roy, do you know... you know, the big electrical panel boxes, right? The gray jobs. Do you remember where those are at, more or less-

Roy Hauser ([02:58:26](#)):

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No, no. The main is in the wheel house.

Joe ([02:58:27](#)):

We're talking about the Conception.

Speaker 8 ([02:58:29](#)):

Yes, on the Conception.

Speaker 9 ([02:58:29](#)):

For the Conception.

Speaker 8 ([02:58:30](#)):

Yeah, so like breaker panels...

Roy Hauser ([02:58:35](#)):

In the wheel house there's-there's a-there's-

Speaker 8 ([02:58:36](#)):

They're little 12 volts.

Roy Hauser ([02:58:38](#)):

... Well, their motor controllers-

Speaker 8 ([02:58:40](#)):

Uh-huh.

Roy Hauser ([02:58:41](#)):

... are in the engine room.

Speaker 8 ([02:58:42](#)):

Okay.

Roy Hauser ([02:58:44](#)):

So that's for each big electric motor.

Speaker 8 ([02:58:46](#)):

Okay.

Roy Hauser ([02:58:46](#)):

But the main electrical panel's in the wheel house.

Speaker 8 ([02:58:49](#)):

Okay

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Roy Hauser ([02:58:50](#)):

On the starbird side.

Speaker 8 ([02:58:52](#)):

Right. And is there any in the engine room, the-

Roy Hauser ([02:58:54](#)):

Not that I'm aware of.

Speaker 8 ([02:58:57](#)):

All right. And you know, the little power outlets, right? Where you plug in to uh, you know, charge your-

Roy Hauser ([02:59:01](#)):

In the galley, all-around the galley-

Speaker 8 ([02:59:03](#)):

Since there's not exactly a ton of those, it's pretty common to have-

Roy Hauser ([02:59:07](#)):

Well, there's about-

Speaker 8 ([02:59:08](#)):

... the po-

Roy Hauser ([02:59:09](#)):

... a ton. I don't know about a ton.

Speaker 8 ([02:59:10](#)):

No, well, I'm saying-

Roy Hauser ([02:59:11](#)):

Well, there's about-

Speaker 8 ([02:59:12](#)):

... since there's-

Roy Hauser ([02:59:12](#)):

... six or eight of them on each side.

Speaker 8 ([02:59:14](#)):

Right. Is it... Is it safe to say it's common that there's the power strips used so people can make sure and charge their stuff on there just-



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Roy Hauser (02:59:20):

Oh, absolutely. Yeah, we did that-

Speaker 8 (02:59:22):

Yeah.

Roy Hauser (02:59:22):

... we did that, and we retrofitted the Truth as well-

Speaker 8 (02:59:25):

Mm.

Roy Hauser (02:59:26):

... because we had more and more underwater photographers coming in. And they would have these, uh, strobe lights and-

Speaker 8 (02:59:34):

Yeah.

Roy Hauser (02:59:34):

... chargers that they needed battery power.

Speaker 8 (02:59:37):

Right.

Roy Hauser (02:59:38):

And I saw that as a necessity-

Speaker 8 (02:59:40):

Yeah.

Roy Hauser (02:59:41):

... so when we built the Conception, we automatically put them in there. We put them in the galley, we put them in the bunk room, we put them in the shower compartment-

Speaker 8 (02:59:53):

Oh, so you mean it just added more physical hard-wire-

Roy Hauser (02:59:57):

It was under construction, we never added any.

Speaker 8 (02:59:59):

Oh, gotcha.

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Roy Hauser (03:00:00):

While it was being under construction-

Speaker 8 (03:00:03):

Mm-hmm.

Roy Hauser (03:00:03):

... the drawings, the electrical... everything was submitted to the coast guard.

Speaker 8 (03:00:07):

Sure.

Roy Hauser (03:00:09):

The electrical outlets in the shower compartment-

Speaker 8 (03:00:12):

Mm-hmm.

Roy Hauser (03:00:13):

... so that the girls could dry their hair.

Speaker 8 (03:00:15):

Sure. And-and was it common to see the power strips, you know those new fangled jobs, it's got like more plugs in it and you plug it into a plug and then you can plug in more things to that strip.

Roy Hauser (03:00:25):

I don't recall any of those coming aboard.

Speaker 8 (03:00:28):

Okay.

Roy Hauser (03:00:28):

I wasn't running the boat.

Speaker 8 (03:00:29):

No, I hear you. I hear you.

Roy Hauser (03:00:31):

I mean, I got the boat built, I got it running-

Speaker 8 (03:00:33):

Yeah.

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Roy Hauser ([03:00:34](#)):

... um, booking charters, and the business is growing, everything is wonderful.

Speaker 8 ([03:00:38](#)):

Gotcha.

Roy Hauser ([03:00:40](#)):

Until these people died. And I aint feel wonderful now.

Speaker 8 ([03:00:43](#)):

I don't have anything further.

Joe ([03:00:54](#)):

Thank you. That's all we've got. We appreciate your time.

Roy Hauser ([03:00:58](#)):

Well, Joe, I appreciate you guys taking it easy on an old man with a sore attitude. Yeah, I hope they find some reason.. But I'm going to assure you right now, that this electrical system, this whole charging, fire-alarm crap things that's going on, Glenn is doing it right now. Not being asked to.

Speaker 8 ([03:01:22](#)):

Mm-hmm.

Roy Hauser ([03:01:23](#)):

Right now as I'm sitting here with you. He's got the electrician down there doing on one of those other two boats. He's having a crew meeting and asking the crew... we had a crew die. Everybody's saying "Oh, the crew lived," they didn't all live.

Speaker 8 ([03:01:44](#)):

Mm.

Roy Hauser ([03:01:44](#)):

He spent his entire life trying to make sure things were right.

Speaker 8 ([03:01:50](#)):

Mm-hmm.

Roy Hauser ([03:01:52](#)):

And he's doing it right now. He's going to have this smoke alarm system wired in.

Speaker 8 ([03:01:59](#)):

Yeah.

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Roy Hauser (03:01:59):

He's already having the crew meeting. Asking that the crew, "Do you feel safe being on the boat, going out on the boat as a crew?" That's all... I mean, if they don't feel, he's got people calling and calling the company, two week... lobster season is beginning of October. All these groups, these dive store owners, they've rented equipment, they've sold equipment, they've-they've sold uh, students. People that want to learn to dive, come out and get your ocean certification. And Glenn says, "I can't take you out on the boat. Because we don't have a license to operate." Our crew were put out of employment. The office staff has been cut in half because there's no reservations to take, because there's no people you can go out with. The dive scores, people are coming in going, "I want to go diving." I said, "I'm sorry, you can't go diving. Because the boat doesn't have a license."

(03:03:14):

And I ask myself, gee-wiz, are all the other boats in Los Angeles, Oxnard, I mean, they have the same kind of fire alarm systems. They run the same kinds of operations, are their licenses being pulled? And I just ask myself that question. And I-there's no answer to it.

Joe (03:03:33):

Are you suggesting that they are also not, uh, standing watch or having-

Roy Hauser (03:03:38):

I have no idea what they're doing.

Joe (03:03:40):

I mean you do understand that-

Roy Hauser (03:03:42):

I understand-

Joe (03:03:42):

You do understand that if Captain Boylan and if Glenn Fritzler had made sure that Captain Boylan is complying with the-the watchmen requirement, and if Captain Boylan was also complying with the roaming control requirement, you do understand that that fire would have been found and detected, and 34 people would be alive. And you seem very angry a-about this. I-I and you seem upset that other dive-ship company operators are-are-are also, you know, still out there operating, but if you're aware that the entire industry and the other captains just don't comply with the regulations, you should tell us, because we'll go out-

Roy Hauser (03:04:23):

Why, I-

Joe (03:04:23):

... and we'll make sure they're doing it too.

Roy Hauser (03:04:24):

It's been 20... I don't know.

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Joe ([03:04:24](#)):

Okay.

Roy Hauser ([03:04:31](#)):

I don't know. I would like to find out how the fire was done. That'd be wonderful. That would be really a mind.... Nothings going to be fine about it. It is horrible. Regardless of whatever is found. It's what can you think you can do to stop in the future. I'm a long with all that, I'm on board with it.

Joe ([03:04:55](#)):

Well-

Roy Hauser ([03:04:56](#)):

Now, I don't know what procedures, what operations, what took place, who was where, when, I was only told, mind you, that there was a crewman in the galley within 30 minutes prior.

Joe ([03:05:15](#)):

Yeah, well, we interviewed that crew member. And we know why he was there.

Roy Hauser ([03:05:19](#)):

I have no idea-

Joe ([03:05:19](#)):

He was not acting as a watchman. He was not acting as a roving patrol. He went down to wash the wine cups, the coffee, you know the-the- the mugs from the birthday celebrations that night. He went down there to wash them to get a jump on the following morning. That's all. That's all. It wasn't because he was acting as a watchman, it wasn't act... because he was acting as a roving patrol. If there had been a watch man, if there had been a roving patrol, those 34 people would still be alive.

Roy Hauser ([03:05:50](#)):

If he was there 30 minutes prior, whether he was a roving patrolman, or whether he was there accidentally, he was there. He was there.

Joe ([03:06:11](#)):

And then he went back-

Roy Hauser ([03:06:11](#)):

Bottom line. He was there-

Joe ([03:06:15](#)):

And then he went-

Roy Hauser ([03:06:15](#)):

... 30 minutes.

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Joe ([03:06:15](#)):

And then he went back to sleep.

Roy Hauser ([03:06:15](#)):

If-

Joe ([03:06:15](#)):

And then he went back to sleep.

Roy Hauser ([03:06:16](#)):

How long does it take to blow up an airplane?

Joe ([03:06:18](#)):

I don't understand the point of-

Roy Hauser ([03:06:19](#)):

I don't understand your point.

Joe ([03:06:20](#)):

The point is, is that a fire can grow awful large and get awful big in the space of 30 minutes. That's my point. If-if somebody had been awake, if somebody had been conducting the roving patrol, if somebody had been at the wheel house like you were in 1976, on the second Truth, they would've smelt the fire when it was still the size of a dinner plate or smaller. That's all. That my... That's the only point.

Roy Hauser ([03:06:20](#)):

Speaker 9 ([03:07:00](#)):

All right, I'm going to shut this off. We good to secure?

Speaker 8 ([03:07:02](#)):

It's still recording.

Joe ([03:07:30](#)):

Actually, keep it on till we walk out..

Speaker 8 ([03:07:30](#)):

Yeah, that's cool.

Speaker 9 ([03:07:30](#)):

You want to last

Speaker 8 ([03:07:33](#)):

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Did we... Oh, we got them, okay, gotcha. Mr. Roy, thanks for having us, sir. You have a good evening, all right? You have a good afternoon.

Speaker 9 ([03:07:41](#)):

Take care.

Joe ([03:07:44](#)):

Sorry I upset you.

Speaker 8 ([03:07:59](#)):

All right, sound bite.

([03:07:59](#)):

1619

PART 6 OF 6 ENDS [03:08:01]

# **EXHIBIT B**

**[Audio]**

**Manually filed with the Court**



# EXHIBIT C

UNCLASSIFIED

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION



11000 WILSHIRE BLVD., STE. 1700  
LOS ANGELES, CA 90024

Requesting Official(s) and Office(s): SA Joseph Hamer - Los Angeles  
File Number: 45-LA-3161932  
Disc Number (Section): 1D377  
Transcriber(s) and Office/RA: Cassandra Tucker-McFall, Los Angeles/LAFO

VERBATIM TRANSCRIPTION

Participants

MW: Mark Williams  
JJ: Joseph Johns  
MF : Milton French  
UF1 : French's Attorney  
DH : Derek Hill  
AX: Adam  
JH: Joe Hamer  
CZ: Chris Zajackowski

Abbreviations

Primary language: (standard) English  
*Secondary Language: (italics) Spanish*  
UI: Unintelligible  
OV: Overlapping Voice

UNCLASSIFIED

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1 [Beginning of recording 00:00:00]

2  
3 [Background noise]

4  
5 MF: Ugh, huh when I look at it, it's the same thing right?

6  
7 MW: The same one I know.

8  
9 UF1: I'm sure that [UI] you can never be too sure of these two here.

10  
11 JJ: Good wine.

12  
13 UF1: [Laughing]

14  
15 JJ: Mark you can trust me [UI] [laughing]

16  
17 UF1: [UI] way big trouble

18  
19 UF1: Today is the 24<sup>th</sup> right?

20  
21 MW: That's right.

22  
23 [Background noise]

24  
25  
26 MW: Okay, ugh ready to get started, you need a bathroom break or anything?

27  
28 MF: I'm all set.

29  
30 MW: Okay, great um so I know everybody is going to introduce themselves but, um just  
31 for the recording here and see who understands who everyone is, ugh this is Joe  
32 John sitting to my right. Um, I'm Mark Williams were both prosecutors here with  
33 the U.S. Attorney's Office ugh were federal prosecutors who work criminal cases,  
34 ugh sitting to my left here is Adam, he's with the Santa Barbara Sheriff office. Ugh,  
35 Chris here is with Coast Guard CJIS, um then Joe is with the FBI and Derek over  
36 there is with ATF. Um were conducting a criminal investigation relating to the  
37 things that happened on the Conception and obviously the fire. Um a couple of  
38 things is housekeeping, so you know you're free to leave at any time. Um that door  
39 there is close just for your privacy but it's unlock so you can go use the bathroom,  
40 um if you need a drink of water. I see you brought your water um if, you need to  
41 take a break and talk to your attorney you can do that anytime.

42  
43 MF: Okay.

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1 MW: Okay, um before we get started ugh and just for the recording, everybody has signed  
2 the proffer letter here. Um you've had a chance to review with your attorney I take  
3 it?  
4  
5 MF: Correct.  
6  
7 MW: You have any questions about it?  
8  
9 MF: No questions.  
10  
11 MW: Okay, great I signed it to ugh the most important thing to remember about this letter  
12 is you have to tell the truth.  
13  
14 MF: Hmm.  
15  
16 MW: Okay, that means the truth about what you did, what you saw? What other people  
17 did no matter how difficult it is to talk about?  
18  
19 MF: Okay.  
20  
21 MW: Um I don't want you to guess about anything. Um if you're unclear about an answer  
22 just tell me it's an estimate. Um and its fine if say you don't know something.  
23  
24 MF: Hmm.  
25  
26 MW: Okay, um you have any questions before we get started?  
27  
28 MF: I don't believe so.  
29  
30 MW: Okay, great.  
31  
32 JJ: and Mr. French just so that ugh the recording is clear um, whenever you are  
33 responding just say yes or no [UI] nodding off ugh, huh [UI]  
34  
35 MW: Yeah.  
36  
37 JJ: [UI] it's not going to pick up .  
38  
39 MW: [UI] I'll try to keep that in mind.  
40  
41 JJ: I will remind you [UI].  
42  
43 MW: So, let's start with ugh your background where you born in California or  
44 somewhere else?

UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MF: Yeah, in Santa Jose.  
3  
4 MW: Okay, ugh what's your birthday?  
5  
6 MF: The 5<sup>th</sup> of November, 1990.  
7  
8 MW: Okay, um and did you grow up in San Jose or did you grow up somewhere else?  
9  
10 MF: Ugh, the first sixteen years was in San Jose, um then I moved to Charlotte, North  
11 Carolina and then I graduated High School and moved back basically to the bay  
12 area.  
13  
14 MW: Okay.  
15  
16 MF: and I've been here, here, there um, pretty much ever since. So I was at Santa Cruz  
17 for a couple of years ago Santa Barbara since last summer.  
18  
19 MW: Um, did you go to college or is high school your highest?  
20  
21 MF: Yeah, San Jose State.  
22  
23 MW: Okay, did you graduate college?  
24  
25 MF: Hmm.  
26  
27 MW: What was your major in?  
28  
29 MF: Ugh, it was Aviation operations.  
30  
31 MW: What, what did you want go into aviation at one point or?  
32  
33 MF: Yeah, um I was thinking about being a pilot but decided boats were kind of just as  
34 much of the interesting and cool factor [UI] like a regulated life style kind of, so.  
35  
36 MW: Not as regulated as airlines?  
37  
38 MF: Yeah, from what I saw.  
39  
40 MW: Um, when did you first start working on boats?  
41  
42 MF: Um  
43  
44 UF1: Can I just ask a question um what did you mean by regulated?

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MF: Um, I don't know it was just the feel of ugh, um just being able to make more  
3 freedom essentially with a boat ugh, lifestyle um  
4

5 UF1: You weren't talking about regulations in the way of rules?  
6

7 MF: No.  
8

9 UF1: You were talking about free life, okay.  
10

11 MF: Just getting a job and um learning it quickly and if I want to move I can go do  
12 something else without too many commitments [UI].  
13

14 MW: Okay, um and when did you first start working on boats?  
15

16 MF: Um, I have to think been working on a sail boat ugh, it's probably been four years.  
17 Four years ago I say, maybe three um  
18

19 MW: Yeah, was that in Santa Barbara or somewhere else or?  
20

21 MF: In Santa Cruz.  
22

23 MW: Okay, tell us about that?  
24

25 MF: I worked for a company called Chardonnay um a pair of 70 foot sailboats. Um we  
26 do um two hour tours a few times a day, depending the day and um I just work as  
27 essentially crew, um sailing some and cleaning the boat and serving the customers.  
28

29 MW: Okay and you started working there you think, this is around 2016?  
30

31 MF: I think it was 2016, maybe March 2016.  
32

33 MW: and are you still working there now?  
34

35 MF: Yeah, um it's been kind of off and on, um since then. It's like a part time job kind  
36 of thing um, very seasonal but I just worked there the other day so I would say I am  
37 back working there.  
38

39 MW: What's your, do you have a job title?  
40

41 MF: Um, I think it would just be crew, um like officially on what put on your taxes,  
42 whatever.  
43

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1 MW: Okay, it's not called a deck hand or first mate, or second mate, or anything like  
2 that?  
3  
4 MF: Um, yeah so I guess it would be a first mate then um, but yeah. So it started as a  
5 second mate and got promoted to first mate after. I basically learn how the flow of  
6 how service works the most important part of my job.  
7  
8 MW: What's the flow of service. What does that mean?  
9  
10 MF: Like one to serve drinks and food, and um just how the whole goes so that you can  
11 give instructions to other crew member, make sure that the cadence of service is  
12 going correctly.  
13  
14 MW: Oh, when you work on those boats does your job involve ugh, steering the boat or  
15 things like that, or is it more customer oriented stuff?  
16  
17 MF: Mostly customer oriented, we'll steer sometimes but it's basically if the captain  
18 needs a bathroom break. The captain is responsible for the piloting and navigation  
19 and all of those things and when we turn you know and how and then we will just  
20 handle some lines but most of it is pretty easy to do, um  
21  
22 MW: Okay, so um in most of your duties you said are customer oriented for example I  
23 think you said serving drinks?  
24  
25 MF: Hmm.  
26  
27 MW: and is there food or something, or what other things did you do on a sail boat?  
28  
29 MF: Yes food, drinks sometimes it would be burials like scatterings.  
30  
31 MW: Okay, um other than that and working [UI] did you have any other um experience  
32 or working aboard a boats?  
33  
34 MF: Ugh, my experience would be a couple of sailing classes, ugh but no not  
35 professionally.  
36  
37 MW: Okay, did you ever gotten any licenses or anything like that?  
38  
39 MF: Um ASA certification would be like, um basically I'm able to rent boats if I have  
40 another certified crew, rent sailboats from companies that acknowledge the ASA  
41 ugh, you know certification agency that's about it.  
42  
43 MW: That's a sail boat certification?  
44

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1 MF: Yeah.  
2  
3 MW: So it allows you to go to a sailboat company and take a boat out for the day or  
4 something?  
5  
6 MF: Yeah.  
7  
8 MW: Okay, um any other training experience aboard boats other than what we already  
9 talked about?  
10  
11 MF: No.  
12  
13 MW: Okay, um when did you first start working for [UI]?  
14  
15 MF: I believe, I was hired in November of last year 2018.  
16  
17 MW: Okay, who hired you?  
18  
19 MF: Um, I guess it would have been ... I dropped my resume off with the office that  
20 made its way to ugh, the office manager and I'm sure that she contacted Jerry but  
21 it was a combination of Jerry the captain and the office the management [UI]. I  
22 assume I'm not on there, you know that side of it.  
23  
24 MW: You remember who ugh on the office side of things reached out to you and talked  
25 to you about the job?  
26  
27 MF: Ugh, it was Inge and Katie um, I don't know if you have any of there the last names?  
28  
29 MW: Yeah, that would be helpful.  
30  
31 MF: I think it's Katie Fitz and Inga it starts with a C [UI]  
32  
33 MW: and Inge is spelled I-n-g-e?  
34  
35 MF: Yeah, I-n-g-e um, yeah so they kind of ugh, were sharing that duty. I think, I spoke  
36 to Katie mostly at first but I spoke to Inge eventually and then spoke to Jerry um  
37 about getting hired.  
38  
39 MW: So, when ... who did that? I guess did the lead on the interview, was that Captain  
40 Boylan who, um ask you questions about boats and interview or was it folks in the  
41 office who did that?  
42  
43 MF: Um, I think it was mostly the interview was kind of a working interview, um I think  
44 my resume was pretty complete. They kind of glanced over with I included um



**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MW: So how did that work? They called you up and said come in, take a trip on the boat  
3 or what happened  
4

5 MF: exactly  
6

7 MW: and so which boat, and who called you and how did that all work?  
8

9 MF: Um, I believe it was um I forget if it was Katie or Inge um, but ugh they asked me  
10 if I was available to go. They called it dead head, um we just go out on the boats  
11 and see what it's like and ugh I went out on the Conception.  
12

13 MW: Was captain Boylan the captain at that time?  
14

15 MF: Yes.  
16

17 MW: Um and was that kind of an interview with him or a trial run with him or?  
18

19 MF: Yeah, if it was a good fit for me and, you know if ugh, they like my personality and  
20 you know I demonstrated reasonable amount of knowledge and found somebody  
21 that they could train well enough, so.  
22

23 MW: What kind of things you remember them asking you about when you went on that  
24 first trip on the Conception?  
25

26 MF: Um, I don't really remember him asking anything specific maybe just generalities  
27 about what I do and what I know. Just asked me to do tasks on the boat to see if I  
28 can pick it up or not.  
29

30 MW: Did he show you the tasks and have you do them, or did he expect you to know  
31 how to do it?  
32

33 MF: Yeah, either he would show me, or um the deck hands currently working, um would  
34 show me. A combination of the two. Usually he would be involved in it to some  
35 degree.  
36

37 MW: Um, did he ask you about your background on boats, or did he just get to ugh  
38 working and doing things on the Conception?  
39

40 MF: Um, I'm sure he asked me about the backgrounds, like he had my resume um and  
41 it wasn't to length or anything [UI] yeah, he didn't have like a sit down interview  
42 or anything.  
43

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1 MW: Okay, um after that first trip did he hire you or did somebody else hire you, or what  
2 happened next in that process?  
3  
4 MF: I think I spoke to Inge about um the confirmation that Jerry wanted me, ugh to work  
5 on the boat but um, but again it could have been Katie, so  
6  
7 MW: Do you know who ultimately has to make the call at Truth Aquatics about hiring  
8 you, would that be captain Boylan?  
9  
10 MF: Yeah, the captain.  
11  
12 MW: So, it would of been Captain Boylan who in your view, would ultimately say hire  
13 or don't hire?  
14  
15 MF: Right, yeah.  
16  
17 MW: Okay, what about Glen Frizzler?  
18  
19 MF: Um, I didn't speak to Glen. I don't know how involved he was in all that ... um but  
20 ugh yeah, I met him later at some point. I didn't meet him, ugh for probably the  
21 first month that I worked there.  
22  
23 MW: Okay, um  
24  
25 MF: Maybe just shook his hand like once but never talked to him.  
26  
27 MW: Did you see him on the Conception or at the office, or?  
28  
29 MF: At the dock.  
30  
31 MW: Okay, um after you got the ugh ... after you got hired did you start working on  
32 Conception or was there some other process that you went through?  
33  
34 MF: I started working on Conception.  
35  
36 MW: Okay and was your position deck hand?  
37  
38 MF: Yes.  
39  
40 MW: Um, when did you, after you got hired go out the next day on the Conception on  
41 trips and how did that work?  
42  
43 MF: No, I was getting into the slow season, um not sure how many days passed but ugh  
44 I think it was a week or two before I worked again and it was kind of like that for a

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 while. I would come down for like a three day trip and then go back to Santa Cruz  
2 and that's where I was living at the time, um and then I would try to come down  
3 just for the multi day trips. So it would be worth the drive um, so I would see if ugh  
4 anybody else was available to work as deck hand on a single day trips going out  
5 and they were pretty sporadic, so.  
6  
7 MW: 15:00 Okay, um is captain Boylan your supervisor or was it somebody else?  
8  
9 MF: What do you mean by supervisor?  
10  
11 MW: Who did you kind of report to at the company?  
12  
13 MF: Um, as far as scheduling goes ugh, Inge coordinated scheduling but Jerry was who  
14 I would directly like speak to and report to as far as job um, my job was concerned.  
15  
16 MW: and did you work primarily on the Conception, or only on the Conception, or all  
17 the boats?  
18  
19 MF: Primarily on the Conception, um I never worked on the Vision ugh except for one  
20 um [UI] um I worked on the Truth one time just because of scheduling worked  
21 better. I needed to go to a wedding, so  
22  
23 MW: Is that how it works with [UI] is there kind of a set crew for Conception, and set  
24 crew for the Truth and the Vision ... and there's a lot of crossover between the  
25 boats?  
26  
27 MF: I say that um ... I say that's how it works. How it's supposed to work at least.  
28  
29 MW: Okay.  
30  
31 MF: That's like under ideal conditions when you have a crew that sticks around but if  
32 it's turnover then sometimes it isn't like that, so.  
33  
34 MW: Sure somebody calls out sick  
35  
36 MF: Right  
37  
38 MW: or somebody quits, you might have to  
39  
40 MF; Exactly.  
41  
42 MW: But is that pretty rare  
43  
44 MF: or you can't fill a position um, so

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MW: How often does that happened that you personally had to work aboard the truth,  
3 and the vision do you remember that?  
4

5 MF: Oh, it was never, like they need me to do this type of thing. It was ugh, it worked  
6 for me but  
7

8 MW: Okay.  
9

10 MF: [UI].  
11

12 MW: Okay, do you remember how many times you worked aboard the Vision?  
13

14 MF: No.  
15

16 MW: How about the Truth?  
17

18 MF: Um, just two trips. I think it was a total of four days um and they were back to back  
19 um, so aboard the Vision the only [UI] I guess technically working was a charter  
20 but when they had the COI inspection. Um, I filled in as the deck hand ugh for the  
21 Coast Guard, like an annual inspection um and then did the same thing on the Truth.  
22 But also worked as a deck hand um during a passenger charter just a couple of times  
23 on the Truth one weekend I think it was in July.  
24

25 MW: Okay, um as a deck hand on the Conception what were your responsibilities?  
26

27 MF: Um, we would prepare the boat ugh there's a lot of things. Um maybe I can go  
28 through like a normal day.  
29

30 MW: Sure, how would that work, let's say ugh, it's an overnight type trip?  
31

32 MF: Like a two-day trip?  
33

34 MW: Yeah, exactly.  
35

36 MF: Um, so depending on the departure time ugh usually if we were going to Santa Cruz  
37 Island, you leave around 4:00 in the morning ugh, we would show up thirty minutes  
38 prior. Um, we would or I would um with my, with the other deck hand and the  
39 second captain, ugh would prepare the boat for departure. Um and make sure that  
40 the manifest, um was what we kind of expected, um  
41

42 MW: The passenger manifest?  
43

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

MF: Correct and that any gear that the passenger brought aboard was ugh as far as dive gear was kind of stowed correctly and if [UI] load those and secure them, um then we would do the engine room checks, check fluids on the two mains and the two compressors and our single generator.

MW: Would you do that or was that captain Boyle, or another crew member?

MF: Ugh the crew would do it as long as um, you know the captain would make sure that we knew what we were doing and we would have to show him that we can check engines correctly and then we were able to do it after that. Um and basically he would ugh ask us if anything, you know was out of place. Um he wouldn't want us to diagnose any problems [UI], you know this is how it's supposed to look and if it looks at all different then come tell him about it. Basically, um and he would ugh, he wouldn't check the fluids but he would um, he was always down there doing something, checking stuff out and making sure that things, um he maybe thought were, you know needed to be replace soon or whatever, you know keeping up on things, um

MW: Did you check the engine room and the fluids with captain Boylan

MF; Yeah

MW: or over see that in some way in some way?

MF: Ugh, then we would um, yeah we would get ready to cast off and somebody would grab the bow line and stern line. The captain would tell us to clear the lines and get on the boat and then take off ... and then go around the boat ugh put away the lines and [UI] and then make sure that all the bilges were dry. Um and then sort out the manifesting ugh safety waivers or liability waivers, um make sure that tank count was what we expected in everything, um the tank count is we count all the scuba tanks and check out against manifest, you know make sure that there's just about the same number. Some people forget to sign in sometimes.

MW: Hmm

MF: So we would make notes of that, who didn't sign what and who didn't sign in and um then we go to bed for a few hours. Um, while Jerry, Jerry usually drove, um then everybody get up around six and um tried to straighten up a little bit before most of the people got up. Um if we needed to fill any tanks and then we start filling tanks and basically get ready for the dive that day and then ugh

MW: When you go to bed was Jerry typically the only one awake?

MF: Yeah at that point, um unless the passengers stayed up but as far as crew goes

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MW: Okay, okay um let's stop there in terms of how light your duties were, um how  
3 many times you think, you sailed aboard the Conception?  
4  
5 MF: Um, you know it's hard to estimate the dates and everything kind of blend together  
6 um but  
7  
8 MW: So when was the first time you went do you remember?  
9  
10 MF: The first time was the end of November. I think it was the end of November.  
11  
12 MW: 2018?  
13  
14 MF: Yeah.  
15  
16 MW: Okay.  
17  
18 MF: That was the day of the interview process.  
19  
20 MW: Okay.  
21  
22 MF: Um and then it was sporadic until probably end of spring and then it started getting  
23 more consistent.  
24  
25 MW: End of spring what, about what month?  
26  
27 MF: Like May-ish.  
28  
29 MW: Okay.  
30  
31 MF: Yeah, mid-May.  
32  
33 MW: So around May 2019 you starting going out on more trips?  
34  
35 MF: Yeah, and then it was pretty much every day, um which it was like a sliding scale  
36 from couple of times, every couple weeks to maybe a three days a week to every  
37 single day from November through May, into you know to end of summer.  
38  
39 MW: When you say sliding scale, you mean it started off slow in November and then  
40 wrapped up until May. Once you hit May and the summer season, like how many  
41 days a month would you be out on trips on the Conception?  
42  
43 MF: I think last month we had like six days off and the month before that probably had  
44 six or seven.

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MW: [UI] that's kind of the same crew?  
3  
4 MF: Yeah.  
5  
6 MW: Okay, when you went out on the Conception, was Captain Boylen always the  
7 captain?  
8  
9 MF: Every trip except for two single days but yeah, every time I worked on Conception,  
10 it was, Jerry was the captain.  
11  
12 MW: Okay, um when you went out on trips on the Conception ugh what was the normal  
13 crew structure when you went out there was captain Boylan ?  
14  
15 MF: Hmm.  
16  
17 MW: and then go through the rest of the crew that would go out on the multi day trips?  
18  
19 MF: Ugh, so yeah, the normal multi day structure was a captain, a second captain, two  
20 deck hands, a first galley and a second galley.  
21  
22 MW: and that was on pretty much every overnight trip?  
23  
24 MF: Ugh, the only time there wouldn't be um, yeah but pretty much every single  
25 overnight trip was that structure ugh, six crew totaled except the Navy trips because  
26 the work load was significantly reduced. Um if there were an overnight a Navy trip  
27 we would just do a second captain, a single deckhand and one galley. We didn't  
28 have to cook that much.  
29  
30 MW: Okay, let's go to the trip in September?  
31  
32 MF: Hmm  
33  
34 MW: Ugh the last trip, um who were the crew for that particular trip?  
35  
36 MF: Ugh Jerry was the captain; ugh Collin was the second captain. Um, I was the deck  
37 hand, um Allie was the other deck hand. Um Ryan was the first galley and Mikey  
38 was the second galley.  
39  
40 MW: Had you sailed with Collin before?  
41  
42 MF: Yeah.  
43  
44 MW: How many times?

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MF: I think two other times.  
3  
4 MW: Um, okay how about Allie Kurtz how many times have you gone on trips with her?  
5  
6 MF: This was her, her second trip as um as the full-time deck hand on Conception. She  
7 had worked one other single day kayak trip maybe a month before on the  
8 Conception.  
9  
10 MW: and this was her second trip?  
11  
12 MF: Um, this was total of her third.  
13  
14 MW: Okay  
15  
16 MF: The second one as the full time crew. She was newly hired as deck hand. She was  
17 a like a fill- in the month before  
18  
19 MW: Okay, um have you gone out on trips with, um Ryan and Mike Kohls before?  
20  
21 MF: Ryan was pretty new as well this might have been his fourth or fifth. Um, and Mikey  
22 had been working there longer than I have.  
23  
24 MW: Okay, um what time did you get to the Conception [UI] before that last trip?  
25  
26 MF: Um, yeah it was four o'clock departure I believe. So we got there I think Allie and  
27 I showed up around three twenty ugh just ten minutes early [UI] and ugh, yeah  
28  
29 MW: You remember what you did when you got there?  
30  
31 MF: Um, yeah it was like a normal day pretty much, um, I went in the engine room but  
32 [UI] I prepped it the day before. Um so the engine check was done but all I had to  
33 do is unlock the hatch, sotw the lock and go down and turn everything on essentially  
34 get the generator running. Um, put the batteries in the right position and get ready  
35 for Jerry tell me to fire the mains.  
36  
37 MW: Was Jerry already on board when you got there?  
38  
39 MF: No, I think he showed up just after us.  
40  
41 MW: Okay.  
42  
43 MF: Um, I think Collin was on board already.  
44



## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 MW: Did Allie help you with any of this or was she doing other things?  
2  
3 MF: Ugh, she was learning basically like shadowing um, what I was doing but this was  
4 her second trip and she knew how to do a few things. Um kind of forget who did  
5 specifically what, um but between the three of us we got the boat ready.  
6  
7 MW: 28:15 Okay, um was there anything else that happened or did you untie and go, you know  
8 and set off for the trip.  
9  
10 MF: Um, you mean before?  
11  
12 MW: Yeah,  
13  
14 MF: Yeah  
15  
16 MW: Nothing sticks out?  
17  
18 MF: Not really.  
19  
20 MW: Okay, um when you get on the Conception or when you got on the Conception for  
21 this trip how did you decide where everyone was going to sleep for the crew?  
22  
23 MF: Um, I didn't decide actually ... um, so the captain decides who sleeps where and  
24 we have five beds up in wheel house and one bed down below. Um basically all  
25 summer I've been ugh, so Allie, was new. This was her second trip. Up until the  
26 other deckhand that have been working with us or working with me, ugh quit and  
27 Allie took his spot. Um I've been sleeping down below but since Allie was  
28 relatively new to um boats, ugh Jerry asked me if I would to move up to the wheel  
29 house, so that I would be closer to [UI] in case he needed something, ugh then he  
30 can call on me because I had more experience.  
31  
32 MW: 29:45 Okay.  
33  
34 MF: So and then um the galley, ugh employees galley have their own little space ugh  
35 and then the captain has his quarters and one deck and the second captain, um sleep  
36 in when call them dog kennels cause they are small.  
37  
38 MW: Okay and who's the deck hand that quit that Allie took his place?  
39  
40 MF: His name is Hunter.  
41  
42 MW: Okay, do you remember what Hunter's last name is?  
43  
44 MF: McNair

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MW: Do you remember why he quit?

3  
4 MF: Um, I mean maybe he was burnt out on the job in general or you know. You would  
5 have ask him really.

6  
7 MW: Okay, um so you get on .... Um, did the things that you just talked about um and  
8 then set off?

9  
10 MF: Ugh, I mean yeah there's a lot of little details [UI].

11  
12 MW: What are some of the things that stick out in your mind as things that happened  
13 [UI]?

14  
15 MF: Nothing really sticks out but we ugh [UI] give a tank count, um, untie lines.

16  
17 MW: Okay.

18  
19 MF: and yeah, just I mean very regular boat stuff essentially.

20  
21 MW: Okay, so what did you and the rest of the crew do after the, ugh ship set off?

22  
23 MF: Ugh we would, somebody would do the manifest and transfer the names that ugh  
24 basically anybody that signed in would transfer their name on to a roll board that  
25 was water proof and ugh could be easily, you know checked off in and out the boat  
26 during the trip. Um and check those names against the waiver sheets and then we  
27 would ugh, while somebody is doing that. Somebody would go and look at all the  
28 bilges make sure there was no water in them, if there was then we would pump  
29 them out accordingly and keep the boat dry. Um after those things are good um,  
30 ugh basically go to bed, check on the captain, and tell him everything is done. Um,  
31 if he needed anything else go and do that, [UI] you get a few hours of sleep and get  
32 ready to wake up.

33  
34 MW: Okay, so you and the rest of the crew went to bed. Captain Boylan stayed awake  
35 and steered the ship.

36  
37 MF: Ugh, yeah I think on that trip um Allie and I stayed up a little bit longer um just to  
38 try and see some dolphins on the way out.

39  
40 MW: Okay.

41  
42 MF: Just for our time basically.

43  
44 MW: Do you remember what time you went to bed?

UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MF: Ugh, yeah maybe 4:30, 4:40.  
3  
4 MW: Okay, ugh so after what time does the crew generally wake up [UI]?  
5  
6 MF: Six o'clock.  
7  
8 MW: Six a.m.?  
9  
10 MF: Yeah.  
11  
12 MW: What happens when the crew gets up what are your responsibilities at that point?  
13  
14 MF: Um  
15  
16 MW: I guess on this specular trip what did you do after you woke up?  
17  
18 MF: It's kind of funny how recent it is but [UI] focusing on all these other things but I  
19 kind of forget my own job to some degree right now. Um, so just give me a second  
20 I'll focus back in on it.  
21  
22 MW: Yeah take your time. So on the first morning you stayed up  
23  
24 MF: Yeah.  
25  
26 MW: with Allie look at dolphins and then you went to sleep with the rest of the crew?  
27  
28 MF: Hmm.  
29  
30 MW; and then when you got up the next morning was, were the other crew members  
31 awake or were you the first one?  
32  
33 MF: Um, we all woke up ... um just to the alarm that um that Jerry sent to the dash  
34 board, um  
35  
36 MW: What's the alarm for?  
37  
38 MF: Just the wake up alarm.  
39  
40 MW: For the crew?  
41  
42 MF: Yeah, um  
43  
44 MW: Does he always set it at six a.m. on the first day?

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MF: Yeah.

3  
4 MW: On the first day?

5  
6 MF: Yeah, I mean that was only my second time up in the wheel house. So up until that  
7 point I've been down in the bunk room with the passengers and um basically we  
8 didn't [UI]. I didn't want to set a phone alarm down there for six because that would  
9 wake up everybody else. So I have been relying on Hunter coming down and he  
10 would just tap me on the shoulder and wake up quietly.

11  
12 MW: Okay.

13  
14 MF: Um, so basically on the other side of the coin um I was sleeping where Hunter was  
15 um until that point I was in wheel house and right after the alarm um I went down  
16 and woke up Allie and Mikey. Mikey was already up for sure. I don't remember if  
17 Ryan was [UI] we started, you know we were still traveling. So I think we had some  
18 breakfast, um made sure everything was relatively clean, the bathrooms and shower  
19 room areas were clean. Um checked out how many tanks we were going to have to  
20 fill. I can't remember if we started filling at that point. I think we were holding off  
21 on it um but not sure and got ready to ugh, you know just stand by to get to our spot  
22 [UI] and then you would ugh, you know get the day started essentially.

23  
24 MW: Okay and how did the day start with breakfast for the passengers or do you do  
25 something else or [UI].

26  
27 MF: Yes, breakfast for the passengers first. Um we would ugh, give people kind of like  
28 a warning that ugh, or like a heads up that were going to do, um a morning briefing  
29 at some point. Um and wait for everybody to get up and be present for that.

30  
31 MW: How do you tell the passengers about a morning briefing?

32  
33 MF: Um, I mean a number of ways, um over the P.A. system. Jerry would usually ugh  
34 say like hey guys this is were headed, expect to be there about this time um after  
35 we [UI] like everybody gather for you know a little morning briefing on safety and  
36 day diving, and stuff like that and ugh

37  
38 MW: When captain Boylan talks on the P.A. system can you hear that pretty much hear  
39 that everywhere on the boat?

40  
41 MF: Yeah.

42  
43 MW: Okay, so when he makes his announcement ,um that there's going to be a briefing  
44 do folks come up from the bunkroom and gather for that or

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MF: Yeah and if they don't and then they will come down find them and tell them face  
3 to face, so.  
4  
5 MW: How often does he use that P.A. system?  
6  
7 MF: Um.  
8  
9 MW; during a trip like this?  
10  
11 MF: Before every dive, um all the time, anytime he wants to communicate to the whole  
12 boat essentially.  
13  
14 MW: Okay, um so did he ... was there a safety briefing on that first morning?  
15  
16 MF: Yeah.  
17  
18 MW: What time was that?  
19  
20 MF: Um, that's hard to say specifically but it might have been ... it might have been 8  
21 o'clock, just after 8 I think.  
22  
23 MW: Okay, did he announce it over the P.A. system, like he normally does?  
24  
25 MF: Yeah  
26  
27 MW: Did the passengers come up?  
28  
29 MF: Yeah, thirty minutes till and then that actually I think that day took quite a bit of  
30 corralling. I had to go around a few times [UI] Allie did too and so eventually got  
31 everybody into the bunk room and the galley, and ugh some were still eating  
32 breakfast and ugh Jerry asked me if I wanted to do it that day and so I told him  
33 okay, I would.  
34  
35 MW: Was that your first time doing the safety briefing?  
36  
37 MF: not my first time.  
38  
39 MW: How many times had you done it before that?  
40  
41 MF: Um, again it's hard to say specifically but maybe a dozen or so sporadically  
42 throughout the summer.  
43  
44 MW: Okay.

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MF: [UI] I didn't do any at first but starting doing them at some point and did them every  
3 once in a while.

4  
5 MW: Who did the morning briefings before, before you started doing them?

6  
7 MF: Ugh, it was Jerry a couple of times, um the second captain would do it but Jerry  
8 primarily [UI] exclusively at first and yeah sometimes we would have a second  
9 captain that had experience, um and he would doing it or Hunter tried it once but  
10 his speaking skills his public speaking was bad so he didn't do it anymore.

11  
12 MW: Did you have more experience doing the morning briefings than Collin Molitor?

13  
14 MF: Yeah.

15  
16 MW: Have you heard him do it before or no?

17  
18 MF: Hmm.

19  
20 MW: What was that?

21  
22 MF: No, sorry.

23  
24 MW: Okay, so you handled the safety briefing and when you handled safety briefing how  
25 do you know what to talk about?

26  
27 MF: Ugh, there's ugh a laminated list and um so between the laminated list of like bullet  
28 points and um, you know things to cover. Ugh Jerry's also sitting right there ugh  
29 would step in often to make sure that A that I said everything and B that I said the  
30 way he likes it said, so

31  
32 MW: Okay, um do you remember what you covered in that specific briefing or you can  
33 take us through it to the best you remember it?

34  
35 MF: Um, yeah [UI] I followed the list. I mean [UI] as I always do. Um, it starts with  
36 introduction and crew and then we talk about safety waivers or the manifest the  
37 waivers and make sure that everybody is on it at that point. We already have a few  
38 names circled. Maybe people that missed the waiver or didn't sign in we will check  
39 with the charter master to make sure that ugh who they have on their manifest  
40 matches, our numbers and names and make sure everybody is squared away as far  
41 as the manifest goes before anybody starts diving and then turn it over to the galley.  
42 They do an introduction to the galley, how to basically eat essentially um and then  
43 comes back to us, we ask about medications, um and just basically they'll write  
44 down the bullet points and read what's on there.

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MW: 41:30 Are there any safety procedures discussed during the safety briefing?

3  
4 MF: Ugh, yeah so um we will tell people about the life rafts, ugh and life jackets that  
5 are up on the sun deck. Um, say that we have a hundred and three on board, um it's  
6 plenty for everybody on board. Um say if there's any emergencies people should  
7 gather um just outside of the galley on barbeque area. Um, yeah what's ever on the  
8 list is usually what I brief, so.  
9

10 MW: Do you remember reading anything else about safety procedures other than that?

11  
12 MF: Um, not sure it was listed but ugh as far as the escape hatches are concerned um  
13 I'm giving that briefing and it's at my feet. Um, sorry I can't remember if I  
14 verbalized at this time. Um, but yeah sometimes I would often say [UI] you know  
15 the escape hatch is here this is where it goes. I'm pretty sure that I said it because  
16 it was part of the flow but I don't think it was on the paper. I'm not sure but not  
17 sure it's on paper, so.  
18

19 MW: Okay, anything else?

20  
21 MF: Um, yeah as far the safety briefing goes ugh this one was interrupted by um a  
22 passenger ... um fainted midway through and ugh, so we had to, you know provide  
23 first aid and there was nurse onboard and they brought him out back eventually had  
24 him lay down and then Jerry took over second half [UI] or however much of the  
25 safety briefing I hadn't gotten to yet.  
26

27 MW: Okay, anything else to cover safety wise on the safety briefing?

28  
29 MF: I don't think so.  
30

31 MW: Okay, um and the safety briefing was before the first dive I take it?

32  
33 MF: Yeah.  
34

35 MW: Okay, um after the safety briefing the dive started and I know there were other dives  
36 and you know other things before the fire happened between the safety briefing and  
37 the fire do you remember anything um mechanical or electrical issues that you  
38 noticed aboard the Conception during that trip [UI].  
39

40 MF: Between the safety briefing and fire?

41  
42 MW: Yeah, kind of throughout that trip?  
43

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

MF: Yeah, um mechanical issue ... um I burned out the impeller pump that we work that we use to operate the bilge. Basically the impeller and the bilge pump um I was trying to bilge out the portside in the engine room with the auxiliary hose and I had forgotten to open the valve to um you know to allow the hose to suck and ran the bilge pump um without water flowing through it so it overheated and broke. Um

MW: How did you know it broke?

MF: Because then, you know I immediately like [UI] after a few seconds after running it ugh realize I forgot to open the valve, opened it and it wasn't sucking and you can feel it and it was getting hot. So I turned it off and ran up to ask, you know Jerry "Hey man, I just broke the impeller so what do I do?" And ugh he said you use fire pump as the impeller. There's a way to isolate the valve. So I did that and he told me that I had a fun project when I got back to the dock.

MW: Um, did the impeller pump, it got hot did you see smoke?

MF: No, no I was touching it and was just hot to the touch

MW: Okay and then you didn't turn it on again after that

MF: No.

MW: and Captain Boylan told you to use the fire pump?

MF: Yeah

MW: How did that work?

MF: 46;05 Um, so the plumbing in the boat ugh different pipes go to different bilges. They all go to a central head where all the pipes stick out and um on the portside there's uh like an isolation valve um that's usually closed and you'll leave that closed and then run everything cause the bilge pump um runs off the starboard mains RPMs so you can only bilge using that um while we're moving. So, if you burn that out then all you have to do is close starboard side isolation valve, open up the portside isolation valve um and then close the route that directs sea water from the fire pump comes in a through hole um like mid ship underneath the holding tank. And then um it can either spit it up to the fire hose or if you close that and open the overboard valve then it will go overboard so if you want to use the fire pump as a bilge pump then you open the isolation valve, leave the salt water through hole open because the things really powerful it would suck all that water really quick [UI] but you want to close the route to the fire um then open the route overboard. So I did all those things and you run the fire pump and bilge out and basically undo everything you just did so that its ready in case we need the fire hose.



**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MW: Okay, um so you did that on the first day?  
3  
4 MF: I did that on the evening before the fire.  
5  
6 MW: Okay, so  
7  
8 MF: So that was Sunday.  
9  
10 MW: the evening before the fire was the issue with the impeller pump, you called it. So  
11 you did the valve closing and openings that you talked about.  
12  
13 MF: Hmm  
14  
15 MW: Um, what time was that about?  
16  
17 MF: Um that was before evening dive which was before dinner. So that must have been  
18 about four in the afternoon or yeah, somewhere around four.  
19  
20 MW: Okay, do you remember how long you ran it out to pump out the bilges?  
21  
22 MF: The fire pump?  
23  
24 MW: Yeah the fire pump?  
25  
26 MF: Um, not that long. It's pretty quick um [UI] yeah just a few minutes, maybe not  
27 even.  
28  
29 MW: Okay, that was before or after dinner?  
30  
31 MF: That was before dinner, before the dive. Before the evening dive at night time.  
32  
33 MW: Okay, okay um. so then there was other than that mechanical issue, other electrical  
34 or mechanical issues during that specular trip that you remember?  
35  
36 MF: Nothing stands out.  
37  
38 MW: No electrical problems with things shorting out or  
39  
40 MF: No.  
41  
42 MW: Other pumps are not working, generator problems?  
43  
44 MF: No

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MW: problem with the lights?

3  
4 MF: Not on that trip

5  
6 MW: Okay, ugh do remember those things on other trips?

7  
8 MF: Um, sometimes the generator would get to hot if we ran too many major appliances  
9 at once. Um we have a nitrox compressor and two air compressors on board um  
10 that those three items in conjunction with the either the ovens or the flattop or the  
11 barbeque would put too much strain on the ugh generator and ugh if it got to hot  
12 then it would basically shut itself off and spit a bunch of coolant. [UI] as a safety  
13 measure and that's not, if that happens because then we will have to wait for um A.  
14 we'd have to wait for everything to cool down in order to refill the coolant that we  
15 just we lost. Um and then we wouldn't have electricity for an hour or so. Um or we  
16 will just turn it back on and running a little low on the coolant and then everything  
17 was even more um susceptible to overheating. Um that it happens probably two  
18 trips before. Um so the coolant was ugh watching coolant and generator  
19 temperature was on everybody's radar and making sure we don't use nitrox um in  
20 communication with the kitchen ugh to make sure that they weren't running certain  
21 things when we used nitrox and basically got to choose when we used it at which  
22 time.

23  
24 MW: Okay, other mechanical or electrical issue this trip or other trips?

25  
26 MF: No, not that I remember.

27  
28 MW: Okay, um so going back to the trip in September where the fire happened, you had  
29 an issue with the pump and you did the things that you already talked about and  
30 then you said there was the night dive?

31  
32 MF: Yeah

33  
34 MW: Do you remember how many crew, um how many passengers went on the night  
35 dive?

36  
37 MF: I think there were seventeen the number sticks out in my head, pretty sure there was  
38 seventeen night divers.

39  
40 MW: Did any crew members dive with them?

41  
42 MF: No

43  
44 MW: Did Allie do any dives that trip?

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MF: I'm not sure anybody did any dives um, but

3  
4 MW: Any crew?

5  
6 MF: Any crew. Yeah I don't think Allie got in the water at all.

7  
8 MW: Okay and you think seventeen passengers did the night dive?

9  
10 MF: Yeah.

11  
12 MW: What time was that?

13  
14 MF: Um, I think we wanted everybody in around 8:30 and I think they were done around  
15 9:30.

16  
17 MW: Um, to do night dives did they use lights and flashlights?

18  
19 MF: Yeah.

20  
21 MW: What type of lights ugh did you see the divers using?

22  
23 MF: All kinds, anything from um some people would have glow sticks. Ugh sorry Ugh  
24 we like people to have a tank indicator light um so that we can see where they are  
25 in the water. Um in addition to their primary flashlight we suggest having a  
26 secondary flashlight just in case but the flashlights are either, you know good old  
27 battery powered um like double A, or triple A powered dive lights or um big  
28 essentially like car head lights replacements massive you know spot lights some  
29 people have it that take a wall charger.

30  
31 MW: Okay.

32  
33 MF: So.

34  
35 MW: Ugh, so all of the divers had at least two lights right?

36  
37 MF: Yeah.

38  
39 MW: Did some have more than two lights?

40  
41 MF: Yeah.

42  
43 MW: How many would you say had three lights?  
44

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1 MF: That's not something that I even take note of  
2  
3 MW: Okay.  
4  
5 MF: But there were a lot of lights.  
6  
7 MW: Okay, um and that got concluded at about 8:30?  
8  
9 MF: Um, it started at 8:30.  
10  
11 MW: Oh, I'm sorry it started at 8:30, okay.  
12  
13 MF: [UI].  
14  
15 MW: and when was everybody out of the water from that time?  
16  
17 MF around 9 or 9:30 we like to keep night dives under an hour. But yeah, that's like  
18 getting back on the boat around 9 or 9:30. A little bit of undressing time.  
19  
20 MW: Okay, what did all the passengers do with all their lights when they come back on  
21 from a night out like that?  
22  
23 MF: Ugh, the ones that don't need to be charged they get stowed. The ones that need to  
24 get charged get plugged in.  
25  
26 MW: Where do they normally get plugged in?  
27  
28 MF: Um most the electronics and cameras and all this stuff, um get plugged on the two  
29 aft tables in the galley.  
30  
31 MW: So the passengers in this particular dive came in the charging of all the light was  
32 done in the galley area?  
33  
34 MF: Yeah, I mean most of them. I don't know specifically, if somebody brought them  
35 down in the bunk we don't keep track of it or responsible for [UI].  
36  
37 MW: Do you remember seeing lights charging in the galley that night?  
38  
39 MF: Yeah, addition to a whole lot of other things.  
40  
41 MW: What else do you remember seeing charging?  
42

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 MF: Cameras, um just some batteries ugh there was like battery pack didn't know what  
2 it was for. Um, it seemed like it had equipment attached to it or just a battery or  
3 something.  
4

5 MW: Okay.  
6

7 MF: Um, yeah laptops and some phones during the day. I'm not sure I saw it any phones  
8 with [UI]  
9

10 MW: Okay and did you see power strips that night?  
11

12 MF: Yeah at least one ugh and I remember it because it said "not yours" on the side of  
13 it, that was kind of funny. Um but there's yeah, power strips are very common.  
14 People bring their own.  
15

16 MW: Okay, um okay so that dock concluded about 9:30 and then um sounds like the  
17 passengers get back on board and dry off and change is that what happens normally  
18 or do they go into eating dinner?  
19

20 MF: Oh, dinner has already been served by the time the night dives done.  
21

22 MW: Okay  
23

24 MF: Um, dinner is served at six.  
25

26 MW: Okay, so what happens nine thirty they come back on and what would you do next?  
27

28 MF: Um, we start you know we want to anchor for the night where we [UI] it's usually  
29 depending on the conditions or its gonna get windy or whatever reason we want to  
30 move. Um, so the crew will um get ready to move the boat, put the anchor up, or  
31 whatever we need to do. Um while passengers usually change, shower, um and then  
32 play cards or enjoy drinks or whatever they want to do um  
33

34 MW: When pulling the anchor up what was your responsibility in that particular process?  
35  
36

37 MF: Ugh, usually I was the one that was pulling on the chain, um especially because  
38 Allie was new and Colin was, you know pretty darn new too. I don't think he pulled  
39 anchor very many times if really at all. Um, and we been teaching Allie to do it  
40 during the day but since, you know dark and I just want to go smoothly. I did it that  
41 time.  
42

43 MW: What's the process of pulling the anchor, sounds like you pull the chain and where  
44 do you put the chain?

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MF: Um the chain go into ugh compartment um it's basically called the anchor  
3 compartment or the chain compartment. Forward most part of the boat um it just  
4 feeds into a little hole

5  
6 MW: Hmm

7  
8 MF: and um pull the chain with the assistance of a capstan which is essentially a wrench  
9 um, yeah.

10  
11 MW: What else is in that particular compartment where you put the chain?

12  
13 MF: Um, I think there's a small anchor for the skiff um that's where we stow the docking  
14 lines and you put one [UI} down there. Um, yes it's mostly um, you know just ugh  
15 stern anchor and line [UI] anchor in line.

16  
17 MW: Do you remember a wrench in there?

18  
19 MF: A wrench um no there was knife [UI].

20  
21 MW: How about a hammer?

22  
23 MF: No hammer.

24  
25 MW: Or any other type of tools you remember seeing in there?

26  
27 MF: No, tools.

28  
29 MW: Okay, so you pulled the anchor and what happened next?

30  
31 MF: Um, yeah I pulled the anchor and then we traveled ugh, I don't know what I was  
32 doing when we were traveling [UI] but yeah I think we were just hanging out. Um  
33 getting ready to drop anchor whenever got to where we were going and once the  
34 engine slowed down, come up and getting ready, drop the anchor, dropped it and  
35 set up a chaffing gear that protects the um bow line from wearing itself out on the  
36 metal fitting and um, then were pretty much done, it's our time.

37  
38 MW: Um, do you remember how long it took you to get to that ugh particular spot?

39  
40 MF: Ugh, from the night dive to

41  
42 MW: Yeah

43  
44 MF: I don't remember particularly it wasn't too long.

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MW: Okay and then you said at that point you guys were pretty much done and it's your  
3 time. What does the crew do when it's your time?  
4

5 MF: Uh often times we'd go straight to bed. Um after, you know checking on passengers  
6 and see if they need anything. [UI] check with the captain um I think in this case a  
7 bunch of passengers were up, a few were drinking. I think lightly um and somebody  
8 mentioned that they wanted to see um like the life over the side basically, so we put  
9 out ugh [UI] Allie grab it, the squid light. Um which basically just hangs a big light  
10 over the side of the boat it bring creatures or whatever to the surface and one of the  
11 passengers never seen bio luminescence. So we ugh grabbed the bow hook which  
12 is long enough to reach the water. Um, turned off the [UI] and ugh it's like writing  
13 my name in the water with the glowing [UI] gave everyone a turn [UI] and then  
14 took a shower after that.  
15

16 MW: Do you remember what time you took shower?  
17

18 MF: Um, probably went to bed just before midnight 11:40. I think um yeah, just before  
19 eleven I think or maybe just after eleven it wasn't a very long shower.  
20

21 MW: Do you shower on the main deck area by the galley?  
22

23 MF: Ugh, it's basically just forward of the bunk room down below.  
24

25 MW: You use that shower okay, okay.  
26

27 MF: Yeah, not the outside shower it's too cold  
28

29 MW: Okay, so showered forward of the bunk room and then ugh went to bed at about  
30 11:45.  
31

32 MF: 11:45  
33

34 MW: 11:45?  
35

36 MF: Yeah.  
37

38 MW: Were the rest of the crew members asleep at that point or were they some folks that  
39 were awake?  
40

41 MF: Um, the crew had mostly gone to sleep ugh Allie and I had took a shower together.  
42 So she was still up , um then she used the restroom and I gave her a kiss good night  
43 before she went to bed and then I went to bed and I think there's maybe a passenger  
44 or two still up [UI].

UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MW: Okay, other than you or Allie do you remember been awake at that time?  
3  
4 MF: No, as far as I know everybody was sleep.  
5  
6 MW: What about captain Boylan?  
7  
8 MF: He'd been asleep for a while  
9  
10 MW: Okay do you remember what time he went to sleep?  
11  
12 MF: No.  
13  
14 MW: Was it shortly after you arrived and anchored or?  
15  
16 MF: I would imagine so. Um, yeah ... I think, I ... yeah I don't think I saw him outside  
17 of the wheelhouse after we anchored.  
18  
19 MW: Is that his normal bed time?  
20  
21 MF: Yeah, after ... after the last anchorage usually [UI] ugh, yeah I would assume so  
22 but I was sleeping down below the whole time. So I wasn't really [UI] I didn't have  
23 my finger on his like sleeping schedule um as well as like Hunter might have.  
24  
25 MW: Okay, um but that night he was asleep when you went to bed and your sense he was  
26 asleep  
27  
28 MF; Yeah.  
29  
30 MW: Before that as well  
31  
32 MF: Yeah. I walked through the wheelhouse that night and everyone was asleep. I think  
33 I heard him snoring.  
34  
35 MW: Yeah, do you remember what time that was?  
36  
37 MF: 11:45  
38  
39 MW: Oh, when you walked in and went to sleep yourself?  
40  
41 MF: Yeah.  
42  
43 MW: I see. Um, okay so you went to sleep and what happened next?  
44



**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1 MF: Woke up to someone yelling fire.  
2  
3 MW: Okay, you want to take a break at this point or you want to keep going?  
4  
5 MF: Um.  
6  
7 MW: Why don't we take a ten minute break?  
8  
9 UM: [UI]  
10  
11 MW: Um, let's pause it for a second.  
12  
13  
14 [End of transcription by Cassandra Tucker-McFall]  
15

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UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION



11000 WILSHIRE BLVD., STE. 1700  
LOS ANGELES, CA 90024

Requesting Official(s) and Office(s): SA , Los Angeles  
File Number: 45-LA-3161932  
Disc Number (Section): 1D-377  
Transcriber(s) and Office/RA: Cassandra Tucker-McFall, Los Angeles/LAFO

VERBATIM TRANSCRIPTION

**Participants**

MW: Mark Williams  
JJ: Joseph Johns  
MF : Milton French  
UF1 : French's Attorney  
DH : Derek Hill  
AX: Adam  
JH: Joe Hamer  
CZ: Chris Zajackowski

**Abbreviations**

Primary language: (standard) English  
*Secondary Language: (italics) Spanish*  
UI: Unintelligible  
OV: Overlapping Voice

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File Number: 45-LA-3161932

Disc Number: 1D377

1 [Beginning of recording 00:00:00]

2  
3 CZ: Were on.

4  
5 MW: Okay, were all back in the room here ugh just took a break and turn the recorder  
6 back on. Um, did you remember something else we discussed during that safety  
7 briefing that I asked you before?

8  
9 MF: Ugh, yeah part of it is [UI] how we use to skiff boat in the past years. Um, that we  
10 use it as ugh a safety boat when you're diving. Um, if you get to far away then um  
11 we'll have it tied up to the side and well jump in and to come pick you up, um if  
12 you need so but, you know just reminding them not to use it as a taxi service  
13 essentially.

14  
15 MW: Hmm, okay and so the skiff boat is the boat that's stored in aft [UI]

16  
17 MF: Yeah.

18  
19 MW: Back part of the Conception right?

20  
21 MF: Yeah.

22  
23 MW: Okay, do you remember anything else in the safety briefing particular other than  
24 regarding what we talked about before?

25  
26 MF: No.

27  
28 MW: Okay, um so where we left off was you had ugh gone to bed at 11:40 and or  
29 11:45ish?

30  
31 MF: Yeah.

32  
33 MW: Okay, um and captain Boylan and the crew were sleep when you went to bed and  
34 you said you went to sleep and um I guess my next question is what happened  
35 next?

36  
37 MF: Um, I fell asleep as soon as I hit the pillow basically or [UI] but yeah, as soon as I  
38 laid down I was out. Um and woke up to yelling, um

39  
40 MW: Do you remember who you heard yelling?

41  
42 MF: Ugh, I think it was a combination of Mike and Jerry [coughing] and kind of  
43 everybody um, Mike first but then everybody immediately after.

44  
45 MW: What do you remember them yelling?

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MF: Fire, like oh, man there's a fire um and then ugh yeah, I jumped out of bed. Um  
3 rolled because um on the floor basically, ugh and then went to go out the back  
4 door to the wheel house.  
5

6 MW: And [UI] sorry to jump in. I want to just go slowly through this part.  
7

8 MF: Hmm.  
9

10 MW: So, we understand as much of what happened as we can. Um, so when you woke  
11 up and rolled out of bed what do you remember seeing at that point?  
12

13 MF: Um, honestly ugh so I can't see very well, I wear contacts um, or glasses. Um I  
14 forget what my vision is but um, but things were blurry. Um, I think Colin was  
15 already up and moving to the back. Um, I was just a step behind him and Jerry  
16 was out of his door, coming out of the door ahead of Colin. Mikey was already on  
17 the back deck, um and past Mike I could, you know everybody was kind of  
18 moving back and I was coming up behind them and I could see like an orange  
19 kind of glow um, you know at the back end of the galley.  
20

21 MW: Did you see flames or was it more of a glow?  
22

23 MF: It was like flames but it was all blurry. Um, that's what I interpret to be flames but  
24 I don't often view the world ugh, I wear glasses or contacts almost anytime I have  
25 my eyes open. Um but it was what I would see ... um, I would call them flames  
26 like, actual flames themselves just a glow. Um but because of that ugh I went  
27 back and grab my glasses that were hanging on a little wire ugh, inside my bunk  
28 so that I could be more useful and um by the time I was, went back around. Um  
29 went to go outside um, everybody was running back in or moving back in. I don't  
30 know if anybody was running but ugh but I moved pass them in a little hallway  
31 and I went outside and could see, you know there were flames ugh over the tops  
32 of the rails and um, yeah.  
33

34 MW: So, you were looking back into the sun deck area?  
35

36 MF: Yeah.  
37

38 MW: and  
39

40 MF: towards aft, yeah.  
41

42 MW: Where did you see the flames?  
43

44 MF: Um, yeah where the stairs come up essentially. Um, where you come down.  
45

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1	MW:	Okay, I am going to show you a picture here?
2		
3	MF:	Hmm.
4		
5	MW:	Um, this is the picture do you recognize that?
6		
7	MF:	Yeah.
8		
9	MW:	Okay, is this the Conception?
10		
11	MF:	Hmm.
12		
13	MW:	Okay, um up here is where you were sleeping?
14		
15	MF:	Yeah.
16		
17	MW:	Right in this top area, you can see a door right here?
18		
19	MF:	Hmm.
20		
21	MW:	Um, where did you see the flames?
22		
23	MF:	Um, flames were all over this side. Um the starboard side, um by the stairs.
24		
25	MW:	These are the stairs here?
26		
27	MF:	Yeah, they go this way, yeah.
28		
29	MW:	Like that?
30		
31	MF:	Hmm.
32		
33	MW:	And you saw the flames over here?
34		
35	MF:	Yeah and on the back end and up the stairs too.
36		
37	MW:	Okay, um what are these two things right here, these lights?
38		
39	MF:	Um, that's a P.A. system and these are deck lights on the sides.
40		
41	MW:	Okay, so it looks like there's a P.A. system in the center part of that sun deck
42		area?
43		
44	MF:	Hmm.
45		

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1 MW: and then on the sunburst side there is a light?  
2  
3 MF: Deck light, yeah.  
4  
5 MW: Did you see the flames between the p.a. system and the light?  
6  
7 MF: Ugh  
8  
9 MW: Or was it in a different spot?  
10  
11 JJ: Do you want to mark this?  
12  
13 MF: I saw them to the left of this light for sure. Um and they were over the rail, over  
14 here.  
15  
16 MW: On the starboard side?  
17  
18 MF: On the starboard side and I'm not sure if they were over the rail, on this side too  
19 but it was I mean between the flames and the black smoke it was um, maybe hard  
20 to like distinguished exactly where the flames were and weren't  
21  
22 MW: Okay.  
23  
24 MF: but um  
25  
26 MW: Can you do as best as you can take this pen and just draw or circle the areas where  
27 you saw flames and then draw an arrow right to the flames?  
28  
29 MF: Hmm.  
30  
31 [UI conversation]  
32  
33 MW: So, you can just put x's or dots  
34  
35 MF: Yeah.  
36  
37 MW: or circles, whatever the best representation of where you saw the flames  
38  
39 MF: Yeah, I mean it was concentrated in that corner, um  
40  
41 MW: Hey can you just draw an arrow to those two x's and write ugh flames?  
42  
43 MF: [UI]  
44  
45 MW: Okay, ugh did you see any flames on the port side at that point?

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MF: So, um right now it's kind of hard for me to re-distinguish between because I've  
3 spoken to so many, you know calling in and everybody. Um it's hard for me to  
4 remember what ugh specifically was me seeing it myself and what they said  
5  
6 MW: Hmm  
7  
8 MF: but um, I think I remember just mostly smoke on that side and not so much  
9 flames.  
10  
11 MW: Mostly smoke on the portside?  
12  
13 MF: On the portside.  
14  
15 MW: Okay.  
16  
17 MF: At that point.  
18  
19 MW: Okay, um so it sounded like where we paused you rolled out of your bunk?  
20  
21 MF: Hmm  
22  
23 MW: Ugh, gone out into the hallway, went back and got your glasses?  
24  
25 MF: Hmm.  
26  
27 MW: Went back to the hallway, you were heading out towards the sun deck, the rest of  
28 the crew is coming back into the wheel house that's when you saw the flames on  
29 the starboard side?  
30  
31 MF: Correct.  
32  
33 MW: Okay and then what did you do next at that point?  
34  
35 MF: Um, I think they were ... they um I'm not sure who Mikey. I remember Mikey's  
36 voice um saying you can't go that way, essentially you can't get down.  
37  
38 MW: Telling you this?  
39  
40 MF: Just saying it.  
41  
42 MW: [UI]  
43  
44 MF: To everybody essentially, um I don't know if he was directing at me but ugh was  
45 saying that the stairs are blocked. Um which I had saw and then I remember Jerry

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 saying get on to the main deck [UI]. I'm sure you guys know what that looks like  
2 um so, yeah I headed back in. Um I think, I paused to ugh, you know get some  
3 more directions from Jerry to see what his game plan was. Um, he said jump  
4 down to the main deck, um  
5  
6 MW: You stopped and you talked to Captain Boylan [UI]?  
7  
8 MF: I just didn't really talk just stood there for a second to, you know see just [UI]  
9 yeah, to see what the plan was no discussion really. Um, so we get to the main  
10 deck ugh and then, you know of course like [UI] start to get people out.  
11  
12 MW: So, you remember Captain Boylan saying get to the main deck.  
13  
14 MF: Hmm  
15  
16 MW: Did he say anything else at that point?  
17  
18 MF: Um, I'm not sure. Yeah, I don't remember him saying anything else um, so I  
19 think he started getting on the radio as I was ugh going over to the port side wing  
20 station. Um, when I jumped down Ryan um was laying on the ground kind of like  
21 just to the side of where I was going to hit or land and ugh, I don't know if he was  
22 making any noises yet or I just didn't hear him but ugh eventually remember him  
23 saying my leg, my leg. Um, Mikey was moving past me towards the bow and ugh  
24 when I got down onto the deck um, there were flames on the portside too.  
25  
26 MW: Where were the flames coming from?  
27  
28 MF: Mostly out of these windows but ugh it was like raging fire, um towards the back  
29 and I think this one was just smoke.  
30  
31 JJ: This one being what?  
32  
33 MF: The forward most port side.  
34  
35 MW: So, the forward most port side window you saw smoke?  
36  
37 MF: Yeah.  
38  
39 MW: and then aft most that's where you saw flames?  
40  
41 MF: Yeah.  
42  
43 MW: Okay, um and when you, before you dropped down to the main deck you  
44 remember seeing Mikey run back and forth or after you got down to the main  
45 deck you ran back and forth?



## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MF: Ugh, as I was moving like I ease myself over the side here. Um, he was moving  
3 forward um like underneath me. I'm not sure if I waited for him to get cleared just  
4 um, he was already clear but he was moving forward [UI].  
5

6 MW: Ok and so then he landed on the deck?  
7

8 MF: Yeah, and I saw that I couldn't go down this way, um  
9

10 MW: Down aft  
11

12 MF: Yeah, down towards aft along the portside.  
13

14 MW: Why couldn't you go down that way?  
15

16 MF: Cause the flames were blocking basically everything. Um and couldn't get in the  
17 windows um because, you know two were on fire, at least and the other one was  
18 ugh, you know black smoke was really pumping out of it and  
19

20 MW: The two that were on fire were that the aft [UI]?  
21

22 MF: [UI].  
23

24 MW: Okay, were all three of them opened?  
25

26 MF: Um, I mean opened at that point. I don't know if they were open to begin with but  
27 there was fire coming out of all of them. Um, might have burned through, it might  
28 have been opened, I'm not sure.  
29

30 MW: Okay.  
31

32 MF: But um yeah, so the only other entrance point and I think based on what I saw. I  
33 think Colin um, I didn't see him but um it's a speculation. I'm pretty sure he  
34 jumped off the starboard side wing station and it said that this side was blocked as  
35 well. Um, and Mikey as he was up there basically saying, you can't get in that  
36 way, um  
37

38 MW: So, Mikey was in the bow with you?  
39

40 MF: He was at the bow with me.  
41

42 MW: and he told you can't get in on the starboard side?  
43

44 MF: You can't, you can't get in um to the galley from the rear that's what he said, um  
45 basically said that way is blocked. Um ,yeah I think that's all he said was that way

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 is blocked but I took it as um, I mean obviously ... I could see that you couldn't  
2 get this way, um which is what I thought that he was referring to but  
3  
4 MW: [15:05ish] I mean down the  
5  
6 MF: Down the court side  
7  
8 MW: Court side?  
9  
10 MF: Yeah.  
11  
12 MW: Okay.  
13  
14 MF: Um and then yes, so the last way in. Um, I don't know if you have a picture of the  
15 front of the boat ... um but there's three windows, um  
16  
17 MW: Yeah, I am going to show you another picture?  
18  
19 MF: Yeah.  
20  
21 MW: Um, do you recognize those boats?  
22  
23 MF: Yeah, I think Conception is the middle.  
24  
25 MW: Okay, it shows three windows and a bow.  
26  
27 MF: Yeah, so the center window here  
28  
29 MW: and for, just for our recording we will call this um, this first picture exhibit one  
30 and I'll write that on the back and we'll just call this one, exhibit two and I'll  
31 write this on the back as well. So those are the three windows you can see there?  
32  
33 MF: Yeah, so the lower windows, um the middle one opens out.  
34  
35 MW: [UI]  
36  
37 MF: Um, so because the side ones are blocked ugh I figured that might be my only  
38 way into the galley and then into the bunk room. So I was trying to get it open um  
39 but the latches were ugh, these little plastic three prong wing nuts essentially, um  
40 they like tend to fall down and if you leave them open they'll just um close. Um,  
41 so I couldn't get them opened and couldn't see inside. Um basically just black  
42 soot like, totally blacked out. Um I couldn't see anything inside and couldn't get  
43 the window opened. I was yanking pretty hard on it. Um, I tried pounding on it a  
44 little bit but it wasn't breaking, um  
45

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 MW: Pounding on it with your hand or with something else?

2  
3 MF: Yes with my hand and ugh went to call up for Jerry to [UI] so my bunk is up in  
4 the wheel house and right above my bunk is ugh like a mounted fire ax [UI]. Um  
5 so I knew that was up there and I didn't bring it down initially. So I took a step  
6 back from under this little ledge um, right here and went to call up to Jerry um,  
7 through like the starboard side open door because it's hard to hear, if you try to  
8 talk through the windows ugh but it seems like I went to call out his name. Um,  
9 he jumped off the starboard side wing station into the water because he been  
10 overcome by smoke, um

11  
12 MW: and so you went to call out to him for what purpose?

13  
14 MF: Ugh, I was trying to get his attention to tell him to hand me the fire ax, um

15  
16 MW: and then right as you were calling out to him, you saw him jump out into the  
17 water?

18  
19 MF: I mean, don't even think I got a word out. I was going to say his name and then he  
20 just went like flying over. Um and I initially, I mean, I was looking right up at  
21 him and I thought he was on fire because he was like, totally wrapped in narley  
22 black smoke and ugh and with the glow, like everything behind him. Um [UI]  
23 looked like he was on fire and he was kind of saying oh, no like really kind of  
24 ominous tone voice, like it was a painful oh, no or um so that maybe he was  
25 burning but ugh, but he jumped clear of the rail and directly into the water. Um,  
26 Colin was standing right next to me and we both looked over and I think Colin  
27 jumped in like right away, pretty much even before Jerry settled. Um, but I stayed  
28 on the bow eventually saw that Jerry was doing okay, just floating. Um and then I  
29 started thinking, you know great how am I going to get into that window and then  
30 I started thinking, like do I really want to get in that window because I can't get  
31 into the window that is opened because it's full of smoke. I [UI] I still think I  
32 pounded on it a few more times, um but I stopped eventually and I looked around  
33 and Ryan was still there and Mikey was up on the bow with me. Um, Colin had  
34 seen that Jerry was okay and then he started swimming to the back of the boat and  
35 ugh Jerry was calling for everybody to jump off [UI] get in the water and get  
36 away from it. Um, and the bow gate was open, the bow gate was right here um, so  
37 Mikey and I helped Ryan to the bow gate and ugh he was saying that, he didn't  
38 want to move. So, Mikey and I convinced him to jump in.... um we kind of like  
39 had tossed him in a little bit. Um and then Mikey jumped in ... um after Ryan and  
40 then they stayed together and floated away and um I looked into that anchor  
41 department ... um because I figured I wasn't going to be able to get back to this  
42 part of the boat if I left. So, I just wanted to like exhaust all the options up here  
43 before I jumped off and ugh looked in the anchor department for ugh whatever  
44 reason maybe there was like a magical [UI] I don't know what I was thinking.  
45 There wasn't a way into the bunkroom so I held onto my glasses and jumped in

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1 and then swam to the back of the boat, um as quick as I could. I was just in a tee  
2 shirt and board shorts and um  
3  
4 MW: Is that what you slept in or did you?  
5  
6 MF: and um by the time I was getting on to the back of the boat, at this point ... um  
7 you can see ugh this little handrail and this little blue line. Um, grab onto this blue  
8 ugh like poly line  
9  
10 MW: Are you looking at looking at exhibit one and on the aft part of the Conception  
11 [UI] on the portside there's ugh kind of a curve line  
12  
13 MF: Hmm.  
14  
15 MW: Ok, you grabbed on to that?  
16  
17 MF: So, I grabbed on to that um and put my foot where this ugh swim step hinges right  
18 here and right as I was about to pull myself on it started lowering, so  
19  
20 MW: the swim step?  
21  
22 MF: Yeah, the swim steps started lowering. Um so I pulled my foot away, so that I  
23 didn't get pinched and then going on without touching the swim step, ugh but that  
24 was Colin lowering the swim step. Um the doors were open, so it just went right  
25 up.  
26  
27 MW: The doors were open on the back of the Conception?  
28  
29 MF: Yeah, yeah in the back ... ugh went right up and that was, like the first time I  
30 really saw what this whole area looked like and it was completely engulfed in  
31 flames and ugh  
32  
33 MW: And your pointing toward the galley?  
34  
35 MF: Yeah, yeah to the back part of the galley, the aft part of the galley and these two  
36 showers and bathroom [UI] it was all on this whole side. It was just like flames  
37 and black smoke basically [UI] all the way up.  
38  
39 MW: The portside?  
40  
41 MF: Ugh, the entire.  
42  
43 MW: The entire backside?  
44

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 MF: Yeah the entire outside essentially um, and it was like coming out to at least a  
2 barbeque. Um, I don't think it was, might of being touching the, ugh engine ...  
3 um the engine room hatch but it wasn't on fire but the flames were dang close to  
4 it. Um, but he looked up there it was like, you know [UI] get anyway near that  
5 you probably won't survive it. Um but that's when I, I was looking specifically in  
6 this area cause that's where the fire hose is, um  
7

8 MW: You were pointing to the portside?  
9

10 MF: The portside just out board of those two showers in the back.  
11

12 MW: Okay.  
13

14 MF: I can see the top of that little red sign.  
15

16 MW: Hmm.  
17

18 MF: [UI] firehose. Um, but yeah, the entire area was totally engulfed in flames and  
19 inaccessible. Um there's another one on the starboard side, another fire hose but  
20 the only activation switch is on the portside one. Um, aside from turning on the  
21 fire pumps from inside the engine room. So, like couldn't get to fire ugh hoses  
22 and there is no fire extinguisher in the aft compartment, which just houses wet  
23 suits and a nitrox generator, and a chest freezer, and a regular fridge freezer, like  
24 stand up and then a dryer but there's no fire extinguisher right there, um  
25

26 MW: Where is the closet fire extinguisher in the, to the aft part of the Conception?  
27

28 MF: Yeah, that would have been in the engine room at the base of the stairs.  
29

30 MW: Okay, so what did you do next [UI] it sounds like you pulled yourself up?  
31

32 MF: Ugh, huh went over, um looked down into [UI] and saw that everything was on  
33 fire  
34

35 MW: You pointing to the port  
36

37 MF: Yeah  
38

39 MW: Fire hose station?  
40

41 MF: Yeah, and I mean the whole aft part of the [UI] and then ugh I think, I looked into  
42 the aft section as I was walking by, walking, running I don't know. Um but the  
43 lights were on ugh but you know there's nothing in there that was useful. Um,  
44

45 JJ: Were you talking about the lazarette or talking about the engine room?

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MF: in the aft compartment yeah, the laz [UI]

3  
4 MW: [UI] I'll show you another the picture we will call exhibit three [UI]. I'll write  
5 exhibit three on the back

6  
7 MF: Hmm

8  
9 MW: Does that show into the lazarette?

10  
11 MF: Yeah

12  
13 MW: So, you looked into that compartment and did you see [UI] the lights were on but  
14 nothing that would be useful for you?

15  
16 MF: Yeah, as far as I knew there wasn't anything in there that um, got my attention.  
17 Um, so ugh yeah, I made my way around the side ... um the engine hatch, the  
18 engine hat room was closed ugh and as I was moving past, I believe that's when I  
19 saw Jerry swimming ugh like, backstroking to the back of the boat and he was  
20 saying lower the skiff. Um, yeah lower the skiff we need to get away. Um Colin  
21 we need to get away essentially already working on that. Um, it's hard to  
22 remember if I looked inside the engine room hatch first or pulled them on first. I  
23 think, I might have pulled on Jerry first before I looked in the engine room hatch.  
24 Um, but we pulled him into the skiff ugh and you can see here in exhibit one, two  
25 whatever [UI].

26  
27 MW: [UI] Yeah.

28  
29 MF: Um, at this line here is ugh attached and there is another aft line, so there's a bow  
30 line and stern line that holds the skiff secured to the boat in addition to these little  
31 D-ring lines. Um, so when Colin dropped it ugh he had unhooked the D-ring lines  
32 but didn't untie or cut these away. Um so then we pulled, the two of us pulled  
33 Jerry in and um, then Jerry was telling us to cut it away, and it went back up and  
34 ugh I think, I grabbed. I think, I grabbed a knife at that point and cutaway the bow  
35 line and the knife is located [UI] if you're standing right here basically right, right  
36 here at your back um in this little cubby.

37  
38 MW: So I'm in exhibit three you're standing at the lazarette it's in a cubby?

39  
40 MF: Yeah, it's in a cubby um, at the very, very aft most part of the boat. Um there's  
41 little knobs that control all the, ugh compressors and [UI] stuff. Um there  
42 basically purge valves for the compressors and then there's a cubby with a door  
43 underneath it. Um and we keep some filet knives in there, so if we go fishing  
44 there all right there, we don't have to go galley start cutting up and cleaning our  
45 fish. Um, so I knew were those were and grabbed them and cut away the bow line

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 and saw Colin was working on stern line and the engine of the skiff into the down  
 2 position. So I went back up and Jerry was telling me not to go up there um, you  
 3 know don't get close to it, to the fire and I told him that I can get close to the  
 4 engine room hatch without, you know catching on fire. So, um I went over and  
 5 looked in there and it was totally full of smoke. Um and I thought that if I went in  
 6 there probably wasn't going be coming out of it and even though I knew exactly  
 7 how to operate the fire pump [UI] all the valves were in the right position because  
 8 I have been doing it just a couple of hours before or however many hours before.  
 9 Um, I don't know ... I don't know what thoughts or instincts', or whatever but it  
 10 didn't seem like I was going to be able to come out of that space if I went in. Um,  
 11 just because how much smoker there was I wasn't going to able to see and the fire  
 12 pump once you go down the stairs, you have to go all the forward [UI] to the  
 13 portside. Um, to activate it and then if it was activated then we just have water  
 14 spitting off the portside uncontrollable because the hose is on fire. So it wouldn't  
 15 be able to direct that water anywhere um, you know I didn't

16  
 17 MW: So, when you looked in the engine room and you saw the smoke what did you do  
 18 next at that point?

19  
 20 MF: Ugh, I turned back to Jerry [sigh] [clearing throat]. I was like begging him to tell  
 21 me how to get into the bunkroom because, you know obviously we couldn't walk  
 22 through the doors. Um, it was like a furnace and ugh I had already tried to get in  
 23 front and couldn't do that. The sides were no good, so then I figured you know  
 24 Jerry knows the boat better than anybody but he probably knows something that I  
 25 don't know because he always does and uh begging him to tell me how to get in  
 26 there and he was saying we can't. I told him that wasn't a good answer because  
 27 it's people down there [crying]

28  
 29 MW: Was Jerry in the skiff?

30  
 31 MF: Yeah and ugh

32  
 33 MW: and where you standing?

34  
 35 MF: Um

36  
 37 MW: In the engine room hatch?

38  
 39 MF: right at the hatch room, maybe just behind it and [crying] yeah and then I thought  
 40 about

41  
 42 MW: You take a drink of water. So, Jerry [UI] how you get in there and he said you  
 43 can't and you said not a good answer and what was his reply?  
 44

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 MF: He said we can't save them and I ugh [UI] I mean of course like, you know I was  
2 falling in love with a girl down there. So, I thought about just like trying it  
3 [crying] anyways. I was looking in the flames and like trying to picture how I  
4 would get in there and then I thought about all this scuba gear, maybe that would  
5 give me a couple of extra breaths but I don't know. I guess I decided I don't want  
6 to die [crying] and didn't run in and then went back to the skiff and they were  
7 saying we have to go and Colin had the engine going and I was like holding on  
8 until I was [UI] down and we went to leave and ugh he didn't untie the stern line  
9 so we were still attached and so then the two of us jumped off Colin and I, jumped  
10 off onto the back onto the boat and I went up to go find a knife that I had  
11 dropped on the deck after I cut the bow line and carrues ut up.[UI]. I don't know  
12 it was like over here somewhere.

13  
14 MW: Behind the lazarette?

15  
16 MF: No, it was like just to the side where they would store tanks along this inside part  
17 and I found it under some scuba gear eventually over by the engine hatch, close to  
18 the engine room hatch but I went around to go find that knife again. Well he tried  
19 to untie it but [UI] especially if you're stressed. So I found it and went down and  
20 told him to get his hands clear and ugh cut it away, and then jumped in the boat. I  
21 think ugh when I was looking for the knife I looked around to see if anything had  
22 changed if I could do something. Um, so yeah and then went ugh to drive away  
23 and the line I just cut was like trailing behind us and got caught in the prop and  
24 killed the engine and um I reached back. Colin was driving and I like reached  
25 back and try to free it. I had to lift up the engine and ugh Jerry is like shouting  
26 commands, get it started, telling him to hold on.

27  
28 MW: So Jerry helping you guys free the prop at that point [UI]?

29  
30 MF: Um it was just me. I think, they both grabbed oars that we keep, um inside the  
31 skiff liked tucked in. Um, cause they saw that, you know going to take a little bit,  
32 so they both grabbed the oars and were attempting to paddle but it was a  
33 mismatch of powerful strokes. Um so we were just going in a circle and I got the  
34 line free and like put it on the back inside the boat but then I got the engine started  
35 and like really throttled down uh [UI] in the water and it happened again and I had  
36 to pull the engine back up and then do it again. I got it clear again and then sat on  
37 it that time after I cleared it. So that it didn't go back in the water again and went  
38 over and picked it up Ryan first and then Mikey and then ugh headed towards  
39 what turned out to be the Grape Escape.

40  
41 MW: Um, when you were back on the Conception and on the back and going through  
42 all this did captain Boylan give any commands on how to fight the fire?

43  
44 MF: Hmm, not that I remember. Not that I heard.  
45



## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 MW: 38:30 Um, okay ... um so you motored over to the Grape Escape?

2  
3 MF: Yeah, um so I was driving ugh, I was going very fast. Um, after everybody was  
4 on board and when we were getting close Jerry told me to slow down. Um, he told  
5 me not to hurt their boat or like put a hole in ours and ugh we were yelling when  
6 we got really close. Um but no lights were coming on or anything so by the time  
7 we got there I went to go aboard immediately he told me not to go aboard. Um, so  
8 I looked to him and begged him again to let me go and ugh he didn't say anything  
9 and I jumped onto the back of their boat and started pounding on the door and it  
10 was a big boat. Um, I've been out on the Chardonnay [UI] like the owner of the  
11 company, his lawyer has a sport fishing boat almost exactly like it. I thought it  
12 was it and I had been out on it one time and saw like, how it's laid out. So ugh I  
13 knew that probably the passengers, you know. The owners or whoever was on the  
14 boat sleeping in the very forward compartment it was like a lot of boat between us  
15 and them. Um, you know it was taking six seconds or whatever I [UI] on the door,  
16 no lights were coming. Um, so I started slamming on the side [UI] try to get their  
17 attention with the sound wrapping around [UI] and that woke them up and yeah  
18 then I guess his name was Bob Hanson ugh came out met us first. He asked me  
19 like, what is wrong and then I was like my boat is on fire its like over my  
20 shoulder. I didn't say that but then he noticed the boat and like oh, god yeah we  
21 need your radio and ugh eventually he got that working. Um, he eventually got  
22 that working [UI] he had to turn on electronics [UI] he told me that he been like  
23 hiring a captain to run the boat and he was pretty new to it. Um, yeah then I  
24 really, really don't remember like the order of the next like, maybe two minutes  
25 but at some point, Jerry was on the radio and at some point, I was on the radio  
26 um, talking to the coast guard and um but I just had like an interaction like, two or  
27 three back and forth. I think it was like Jerry initially told him what was going on  
28 and it was like a minute or something and Jerry might of [UI] I was trying to  
29 remember why I had a radio in my hand. I think I was, maybe I was with ... it  
30 took Bob like a long time to get it started and Jerry was checking on Ryan with  
31 the broken leg or whatever [UI]. Um but eventually I was on the radio and um,  
32 yeah and then ugh and then Jerry was and I just kind of like sat on that back of the  
33 boat and cried, and like whatever.

34  
35 MW: [UI]

36  
37 MF: [UI] and then I thought maybe somebody got off like, you know, when we woke  
38 up everything was on fire, so maybe somebody got off before. Um, I asked if I  
39 can go like circle the boat and look for people and ugh Colin went with me. We  
40 had to get Ryan off the boat first, off the skiff. So then Colin and I just did laps. I  
41 was going to go straight back to it but he told me not to get to close because the  
42 diesel and all the oxygen tanks and whatever.

43  
44 MW: Was it just you and Colin ?  
45

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 MF: in the skiff, yeah

2  
3 MW: and ugh what was captain Boylan doing?

4  
5 MF: Ugh, I think he was on the radio. I'm not sure. I didn't really concern myself with  
6 that. I just wanted to go back.

7  
8 JH: Um, real quick why didn't you think ugh captain Boylan didn't want you to board  
9 the Grape Escape when you guys first got there?

10  
11 MF: I just, I mean it's just a speculation. I don't know like permission to come aboard  
12 kind of bullshit. I don't know. I'm not sure.

13  
14 MW: Um, so you went back with Colin in the skiff?

15  
16 MF: Yeah and ugh Colin told me not to get to close and I thanked him for reminding  
17 me like bringing all that to my attention because I was going to get way to close  
18 and ugh I asked him if he was with like certain distances. I started doing circles,  
19 each time we got a little closer I would ask him again, what do you think about  
20 this, what do you think about this, just look for anything in the water and ugh we  
21 found a squid light floating . I guessed it burned away um but it was still floating  
22 because that bulb is really big and that is keeping it afloat. It's what Colin later  
23 um hypothesized or whatever and once I saw it was the squid light I did not stop  
24 to inspect it [UI] but other than that it's all medal and it would of sunk without  
25 that bulb for sure. Um and we saw a bunch splashing and you know course like  
26 that squid light looked like somebody's shoulder or something, so I got really  
27 excite it but and then we saw the splashing. I got really excited again and went  
28 over to that and it was just sea lions and some fish [UI] the flames and ugh just  
29 did a bunch of circles and then, and then just hung out between the boat and land,  
30 assuming that anybody would swim that way. If there was anybody [UI] basically  
31 the seas were pretty calm and it was almost no wind whatsoever and um, with the  
32 fire you can pretty much see anything. So we had like this dinky flash light and I  
33 think Colin had some radios. I'm not sure but ugh and then we just kind of hung  
34 there and watch people, and um watch people, [UI] watch the fire.

35  
36 MW: Okay.

37  
38 MF: Heard some explosions

39  
40 MW: When you were in the skiff going from the Conception over to the Grape Escape  
41 did you and the crew talk about anything? Remember what anyone was saying?

42  
43 MF: Um, I think, I asked Jerry like what the hell, you think it was? How did that  
44 happened and ugh and then I think, I asked him it could have been the squid light  
45 like, just cause I mean it has a plug and it's just like where the fire started

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1                   seemingly. I don't know that's were the biggest flames were kind of like in that  
2                   area but,

3

4   MW:           So, what did captain Boylan say?

5

6   MF:           He said no, I don't know. I'm not even sure what he said. I think he said no but I  
7                   mean that was all just like, you know hopeless [UI].

8

9   MW:           Do you remember what anybody else said um during the skiff ride over to the  
10                  Grape Escape?

11

12   MF:           Um, I don't know. I was going out, you know [UI]all those people. Jerry was  
13                  saying all those people

14

15   UM:           [Coughing]

16

17   MF:           like swimming down the side um and then I think he was still saying it the whole  
18                  time and ugh I think I just kept saying Allie's name [UI].

19

20   MW:           How long were you on the Grape Escape? Do you remember any other  
21                  statements, comments [UI] that other crew said?

22

23   MF:           Hmm, kind of just talked about a lot of stuff again like, what it could have been,  
24                  you know.

25

26   MW:           What were people saying?

27

28   MF:           Um, plugs you know the charging equipment. Um, yeah we didn't really know  
29                  where it started like, was it in the bunk room already or was it on the galley, like  
30                  or did it start small. Um we didn't notice it until it was big like, if that was the  
31                  case maybe it started in the bunk room and grew into the galley [UI] that's why  
32                  the whole freaking thing on fire [UI].

33

34   MW:           You all were talking about this at that time of the Grape Escape?

35

36   MF:           It wasn't like all of us. Um, basically I didn't really have any, I don't know what  
37                  you would have called it, down time, with Jerry afterwards. Um I guess he was on  
38                  the radio with the Coast Guard and then on the Coast Guard boat and Colin and I  
39                  were in the skiff going back, you know standing by, then we went back to the  
40                  Grape Escape and then I heard over the radio that they wanted somebody to  
41                  continue circling. So, once I heard that I just jumped back in and Colin and I  
42                  started to go again. Um, and then we just hung out there, you know until the  
43                  chopper [UI] a few boats have shown up, and the chopper was there and  
44                  somebody was getting Ryan attention but Colin and I were still in the skiff the  
45                  whole time and we really didn't get to talk until, you know we were on our way

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 back home [UI] harbor and um, yeah it took me like fifteen minutes to remember  
2 that the whole world outside of this and I got like a mom, family and stuff and I  
3 asked ugh Bob for his phone let Colin called his parents first and ugh and then  
4 called my mom cause I think she was going to see it on the news soon [UI] make  
5 sure she knew I was alive and only after that we didn't really talk about anything  
6 and then it was you know [UI] people saying I'm sorry to me [UI]. We all just  
7 went through that [UI].  
8

9 MW: What were all of you talking about at that point? What do you remember people  
10 the other crew members saying about the fire what could have been the cause?  
11

12 MF: Yeah.  
13

14 MW: and things like that  
15

16 MF: the plugs [UI].  
17

18 MW: Okay  
19

20 MF: The main focus I think.  
21

22 MW: Did anyone mention um that they heard any passengers?  
23

24 MF: Um, so Mikey, Mikey mentioned that he heard noise that he thought was um, a  
25 chair being knocked over but pretty common, people get up in the middle of the  
26 night and stumble [UI], like some ugh knock over a chair. So that's what woke  
27 him up and ugh he thought he was just going to go down, you know make sure  
28 that person was okay [UI] and pick up the chair and um other than that, like he  
29 said ... he might of heard like, maybe the faintest little bit of like a yell or like  
30 hmm or something but I don't know. I didn't hear anybody pounding or yelling  
31 the whole time.  
32

33 MW: Did anybody ugh crew say that they heard anybody?  
34

35 MF: Not distinctly like I heard ugh nobody as far as I know heard anybody like  
36 undeniably that was a person. Nobody said anything like that.  
37

38 MW: Um, I know that ugh Ryan Sims hurt his leg.  
39

40 MF: Hmm.  
41

42 MW: Did you see any other injuries on any other crew members?  
43

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 MF: 53:00 Um, Mikey's ankle ... um started acting up like when the adrenaline wore  
2 off. Um I think he can't surf, like he used to or whatever but far as I know the  
3 doctor said it was just a bruise [UI]  
4

5 MW: Any other injuries on crew members?  
6

7 MF: Not that I know of.  
8

9 MW: Did you see any burns on anybody?  
10

11 MF: No  
12

13 MW: or burn hair?  
14

15 MF: Didn't hear about a thing, burns.  
16

17 MW: Ugh, what clothing was the crew wearing? Um, what do you remember everyone  
18 wearing?  
19

20 MF: Um, Mikey I'm not sure. Um, I'm not sure what Ryan was in, maybe sweats and  
21 a shirt. Um not sure if Mikey was shirtless or if he like, had a Truth Aquatics shirt  
22 on. I know that Colin ugh told me that ugh when he jumped in to dive for jerry  
23 that he lost his glasses and his pants in that dive. He was wearing like sweats to  
24 sleep in and it came off when he jumped in the water. So I didn't even notice that  
25 he was just like skivvies they were, you know like boxer briefs [UI]. I was in  
26 board pants and shirt with my glasses. Jerry was just in his jeans um, yeah  
27

28 MW: Okay, um [UI].  
29

30 MF: Yeah, I don't [UI] issues far as I know.  
31

32 MW: Do you remember anyone ugh on the crew attempting any firefighting that you  
33 saw?  
34

35 MF: Um, I mean firefighting kind of, like it's a really weird term in this case cause I  
36 feel like I was firefighting but I actually, like didn't do anything because I  
37 couldn't get to the firefighting equipment, so  
38

39 MW: Did you see anyone like spraying water [UI]?  
40

41 MF: Ugh, maybe I forgot to tell you that I grabbed the ugh, it was like a little garden  
42 hose at the starboard aft section ugh that we used to like spray down fish guts  
43 because we like cut fish um, over here and I think that was only water spray [UI].  
44 I pulled that thing out and pointed it at the fire and I like fired it and just a little  
45 squirt came out. Um, I don't know, if I pulled it to tight and it was pinched, or if

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 the pump wasn't working but either way it wasn't producing. It didn't seem like  
2 the right tool for the job at the time anyways. So, um I think that was the only  
3 water spray as far as I know.  
4  
5 MW: You need to take a break?  
6  
7 MF: No, I had some garlic ramen earlier, my stomach just doing flips but I'm good.  
8  
9 MW: Okay, are you sure you don't need more water or anything?  
10  
11 MF: I'm fine  
12  
13 MW: Have you ever heard the term roving patrol?  
14  
15 MF: Ugh, I've heard it a lot in the news lately.  
16  
17 MW: Before the fire have you ever heard that term roving patrol?  
18  
19 MF: No  
20  
21 MW: Had captain Boylan talked to you at all about what a roving patrol is?  
22  
23 MF: No  
24  
25 MW: Um, did the crew on the Conception conduct any type of roving patrol?  
26  
27 MF: I was never instructed to [UI] roving patrol.  
28  
29 MW: Um, did captain Boylan ever order any type of night watch on the Conception?  
30  
31 MF: Ugh, the only night watch would be as we were um, moving the boat from  
32 southern to northern island usually if we were doing a long move then we would  
33 do a driving shift but, but if we were anchored then ugh everyone in the crew  
34 would go to sleep.  
35  
36 MW: Um, had he ever ordered anyone in the crew that, you know of to stand watch at  
37 night?  
38  
39 MF: No.  
40  
41 MW: Sorry was that no?  
42  
43 MF: No [UI].  
44  
45 MW: Have you ever seen the Certificate of Inspection for the Conception?

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MF: I have.

3  
4 MW: Did captain Boylan show that to you?

5  
6 MF: Ugh, it was posted, it really wasn't shown to me. It was just mounted on the wall  
7 next to the fire axe.

8  
9 MW; Um, did you just look at it in passing or

10  
11 MF: Yeah.

12  
13 MW: or was it something that

14  
15 MF: Yeah just looked at it.

16  
17 MW: Did captain Boylan ever discussed with you the different requirements in the  
18 Certificate of an Inspection?

19  
20 MF: No.

21  
22 MW: Did any other crew member ever talk about requirements in the COI?

23  
24 MF: No.

25  
26 MW: Do you know if the Conception had a Station Bill?

27  
28 MF: Um, if the station bill is like ugh ... what is a Station Bill?

29  
30 MW: Okay, let me ask you if you know what a Station Bill is?

31  
32 MF: Yeah, so I don't know if I'm confusing it with something else but um there's ugh  
33 [UI] during the two COI's that I worked for on the Truth and on the Vision. Ugh,  
34 if I remember correctly it was called a station bill but it was basically a list of jobs  
35 for each position in the event of a man over board or any events of a fire or  
36 whatever. Um, so if that's what the Station Bill is then ugh I was aware of what to  
37 do doing those um situations.

38  
39 MW: Did captain Boylan ever show you the Station Bill on the Conception?

40  
41 MF: Not on the Conception.

42  
43 MW: So it would have been something you read in passing while you were on the boat?

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 MF: Um, I specifically read that one for because I am going to be working as the deck  
2 hand during the Coast Guard inspection. So, I needed to know and demonstrate  
3 knowledge of those two events, which we had talked about. It wasn't um  
4 specifically, like this is the Station Bill and learn it verbatim but ugh, essentially  
5 ugh they only like fired safety training or um training drills. Ugh, he would go  
6 over locations of fire extinguishers and um, how to operate the fire hoses on the  
7 sides. Um and you know which vents to close in case of an engine room fire ugh  
8 that was always [UI] it was the one that was talked about the most likely um in  
9 everybody's mind I believe. Um, if a fire broke out it would be in the engine  
10 room. Um, seems like that's what the boat was set up to fight against the most.

11  
12 MW: So, nobody ever set you down and said this is the Conception Station Bill and  
13 here's everybody responsibilities?

14  
15 MF: Ugh, I don't remember being sat down and showed that.

16  
17 MW: Or discussed with you in detail here's the Conception Station Bill and here's  
18 everybody responsibilities?

19  
20 MF: Yeah, not as far as I remember. As far as the Conception goes that happened on  
21 the other two boats when I worked for the Coast Guard Inspection.

22  
23 MW: Okay and that you all were reviewing Station Bill because there was going to be a  
24 coast guard inspection?

25  
26 MF: [UI]

27  
28 MW: Okay what was that?

29  
30 MF: Yeah.

31  
32 JH: Um, where you ever part of a Coast Guard inspection on the Conception?

33  
34 MF: No.

35  
36 JH: So, then you reviewed the Station Bill for the Vision and Truth was that posted in  
37 these, on those vessels?

38  
39 MF: Ugh, I believe it was ... I believe ours was to in the galley if I remember  
40 correctly.

41  
42 JH: On the Conception you think?

43  
44 MF: I feel like your remembering it on the Vision that is was posted on the galley  
45



## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 JH: Okay, um  
2  
3 MF: Yeah, I can't say exactly where it was on the Conception.  
4  
5 JH: Okay.  
6  
7 MW: Do you know who drafted the Station Bill?  
8  
9 MF: No [UI].  
10  
11 MW: Based on your experience at Truth Aquatics do you have any idea on who might  
12 have drafted Station Bill for the boats?  
13  
14 MF: Um, I mean it will be a wild guess between, you know [UI] and people I never  
15 met. I don't know if it was the captain or it was the owner, or a combination [UI]  
16  
17 MW: Okay and who's the owner?  
18  
19 MF: Glen, Glen Fritzler.  
20  
21 MW: Okay, um I know I asked you if ugh captain Boylan had ever ordered a night  
22 watch and you said no we hadn't. Have you ever received training at Truth  
23 Aquatics about how to stand a night watch and what watch standings  
24 responsibilities are?  
25  
26 MF: No, um again the only training was driving at night and yeah it didn't include  
27 walking around or anything.  
28  
29 MW: Okay and just to be clear there was no night watch or watch stander or roving  
30 patrol on the night of the fire correct?  
31  
32 MF: Correct.  
33  
34 MW: Um, you talked a little bit earlier about um some training you had about fires and  
35 that was, I'm not sure I understood, was that in connection with the Coast Guard  
36 inspection on the Vision or the Truth, or was that on your time on the  
37 Conception?  
38  
39 MF: What do you mean the training I had about fires?  
40  
41 MW: I'm sorry let me ask you in a different way. Um you said earlier ... let me just ask  
42 you did captain Boylan on the Conception show you and the crew how to use the  
43 firehoses?  
44

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 MF: Um, he showed us the locations and how to ugh get them to start [UI] water  
2 essentially, um but I think that was the extent of the training.  
3  
4 MW: Did he have you all practice using the hoses?  
5  
6 MF: Ugh, I never had the hose in my hand and unraveled it [UI].  
7  
8 MW: Did you see any other crew who did?  
9  
10 MF: No.  
11  
12 [UI conversation]  
13  
14 DH: Um, so when you were ... when you just said he showed you were the firehoses  
15 were, was that just you by yourself, or you as a crew.  
16  
17 MF: Ugh the first-time um, I've seen him many times and he would show any new  
18 crew that we got, he would show them as well.  
19  
20 DH: So, let me ask you did you ever see him show Allie where it was?  
21  
22 MF: Yeah and I was present.  
23  
24 DH: Okay, how about Ryan Sims?  
25  
26 MF: Um, I'm not sure about Ryan ... um I didn't see if it happened.  
27  
28 DH: Okay what Mikey Khols?  
29  
30 MF: Mikey been working there longer than I have.  
31  
32 DH: Okay.  
33  
34 MF: I just assumed it happened before I got there.  
35  
36 DH: Okay.  
37  
38 MF: But I didn't see him [UI].  
39  
40 DH: You did or you did not?  
41  
42 MF: I did not.  
43  
44 DH: How about Colin?  
45

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 MF: Ugh, I believe, I was there when Colin first worked on the boat

2  
3 DH: Okay.

4  
5 MF: and ugh yeah and I'm pretty sure I saw him [UI].

6  
7 MW: Did anyone at Truth Aquatics or captain Boylan show you how to use a fire  
8 extinguisher?

9  
10 MF: Ugh, I don't think I was ever shown how but um, I may have been asked how and  
11 then verbally demonstrated knowledge of it. Um, I definitely did so during the  
12 COI. um during the inspection, the annual inspection. Um on the Truth there was  
13 ugh there fire was basically a mock, bunkroom fire, in one isolated bunk [UI] and  
14 um basically I went down and, you know cleared the area simulated picking up,  
15 picked up a fire extinguisher and simulated pulling the pin and then deploying it  
16 sweeping motions at the base of the fire. Verbalized that to the Coast Guard and  
17 they were satisfied so.

18  
19 MW: Did you ever do anything like that aboard the Conception?

20  
21 MF: Um, yeah I think it was just verbal ugh, it wasn't, like go pick up that fire  
22 extinguisher, you know. Here's a fake fire go fight it was a what would you do if  
23 this happened.

24  
25 MW: These were questions asked by the Coast Guard?

26  
27 MF: Um, no I just, I mean it's ... I've had so many conversations with Jerry about so  
28 many topics that it's hard to specifically ... it wasn't in the realm of like this is a  
29 training section [UI] clearly structured it as such. Um, but I can easily um, I  
30 would guess that at some point he was like, you know how to use a fire  
31 extinguisher right and he me explain it [UI] essentially.

32  
33 MW: Okay, um how many fire pumps are on the Conception?

34  
35 MF: Just the one as far as I know.

36  
37 MW: Okay, um and how do you activate the fire pump?

38  
39 MF: Ugh, there's two ways ... um, it's basically on and off button in a box. Um if  
40 you're in the engine room, looking forward the fire pump is going to be at your  
41 feet to your left on the portside. Um the box is just in front of the starboard, or  
42 port main and it's just an on and off switch and then ugh and the other way is  
43 from portside ugh fire hose. It's two round buttons on and off and then you have  
44 to open um, a red valve at the hose.

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 MW: Okay and did captain Boylan show you how to do that or did somebody else at  
2 Truth Aquatics?  
3

4 MF: Um, that was ... I'm sure Jerry has shown me at some point and probably a few  
5 times and I've also been there when he's shown other people. Um, but I think  
6 maybe the other crew showed me the first time, so.  
7

8 MW: Um, how often did the crew ever on the Conception practice turning the pumps on  
9 and off?  
10

11 MF: Ugh, we would turn on the fire pump ugh pretty much every night we were out.  
12 Um doing part of the engine room check ...um but we would um isolate the  
13 valves so that the water went overboard instead of to the hose. So, you close the  
14 hose valve and open the overboard valve and then turn on the pump and just let it  
15 spit sea water into sea water just to make sure it's not corroded and running  
16 properly. Then you would do all the fluid checks and then turn it off and realign  
17 the valves correctly. Um as, like ugh end of a night check kind of thing .  
18

19 MW: Okay.  
20

21 MF: So, I did it many times.  
22

23 MW: Okay, um I am going to show you another picture here. This is [UI] can you tell  
24 where that picture was taken?  
25

26 MF: [UI] um, yes that's wheel house.  
27

28 MW: Of?  
29

30 MF: Of the Conception  
31

32 MW: Okay, will mark this is exhibit four [UI] who's on the radio in that picture?  
33

34 MF: That's Jerry.  
35

36 MW: Okay and I am going to mark this next picture as exhibit five. Um, can you see  
37 this arrow on exhibit four pointing down here?  
38

39 MF: Hmm.  
40

41 MW: Ugh, this exhibit five is this zoomed in photo here  
42

43 MF; Hmm.  
44

45 MW: What are those two buttons do? Do you know?

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MF: No, um yeah I couldn't tell you with a hundred percent certainty. They ah, [UI]  
3 bilge alarm was on this side. Um, I'm not sure what that one does.  
4  
5 MW: So you think one might be the bilge alarm?  
6  
7 MF: No, no.  
8  
9 MW: One is not the bilge alarm?  
10  
11 MF: Yeah [UI] ugh yeah, I'm not sure.  
12  
13 MW: No one has ever showed you how to use them or what they do?  
14  
15 MF: Ugh  
16  
17 MW: You have questions about the pumps?  
18  
19 CZ: Those buttons to um ... have the captain ever set the anchor while you guys were  
20 sleeping?  
21  
22 MF: No, um he always wakes somebody up. He doesn't do it himself or  
23  
24 CZ: Could he do himself if he needed to?  
25  
26 MF: I heard that ugh that some captains do. Um, not sure if Jerry will be able to do it  
27 anymore but  
28  
29 CZ: So when I say could  
30  
31 MF: [UI]  
32  
33 CZ: Okay, is he capable okay, is he capable of doing it himself without the assistance  
34 of crew on deck, is there some type of release he can do up top?  
35  
36 MF: What do you mean by release?  
37  
38 CZ: Like can hit a switch to let go of the anchor?  
39  
40 MF: [UI]  
41  
42 CZ: Hmm.  
43  
44 MF: No, you have to push it over.  
45

UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 CZ: Ok, so someone has to be on deck in order to do it?  
2  
3 MF: Yeah, the anchor has to be dropped from the bow of the boat.  
4  
5 CZ: Okay.  
6  
7 MF: [UI]  
8  
9 CZ: Okay, um and do you guys just let it go or do you just ease it off the boat to go  
10 into the water?  
11  
12 MF: We let it go at first.  
13  
14 CZ: Hmm.  
15  
16 MF: Um, cause, you know it's a pretty heavy chain.  
17  
18 CZ: Sure.  
19  
20 MF: [UI] grabbing that, letting it go a hundred and seventy pound anchor.  
21  
22 CZ: Is the entire thing chain or is there a chain attached to the line?  
23  
24 MF: Two hundred for chain and the rest is line.  
25  
26 CZ: Okay, when you bring it back up do you guys operate the windlass from the deck  
27 or does the captain do it from the bridge?  
28  
29 MF: The captain has um stop control but we have start and stop control.  
30  
31 CZ: Okay.  
32  
33 MF: For the windlass  
34  
35 CZ: So as far you know he can only stop it from up there?  
36  
37 MF: I know he can only stop it.  
38  
39 CZ: Okay.  
40  
41 MF: Because he's told me a bunch of times  
42  
43 CZ: Okay, um  
44

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 CZ: So the fire pumps down, so down in the engine room, the fire pump, you  
2 mentioned earlier that there was bilge pump as well  
3  
4 MF: Hmm.  
5  
6 CZ: and that you somehow you cross connected the bilge system to the fire system  
7  
8 MF: Ugh, cross connected.  
9  
10 CZ: You're able to um get the water out of boat using the fire pump rather than using  
11 bilge pump  
12  
13 MF: Correct  
14  
15 CZ: Where is the bilge pump located?  
16  
17 MF: The bilge pumps are attached just forward of the starboard main it uses um, it's  
18 power top rate essentially.  
19  
20 CZ: So  
21  
22 MF: so it's connected through a belt.  
23  
24 CZ: Okay.  
25  
26 MF: To the starboard main.  
27  
28 CZ: Okay and so how do you um engage that?  
29  
30 MF: Ugh, there is a little lever um, it's basically like a two prong t- thing.  
31  
32 CZ: Hmm.  
33  
34 MF: Like a handle that if you push it this way or basically push outboard  
35  
36 CZ: Hmm.  
37  
38 MF: then it will turn on.  
39  
40 CZ: Okay.  
41  
42 MF: and if you pull in board ugh it will shut off.  
43  
44 CZ: Okay.  
45

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 MF: and you secure that with a little [UI] that it doesn't work its way on  
2  
3 CZ: Well it doesn't actually engage itself on that [UI]?  
4  
5 MF: Yeah.  
6  
7 CZ: Okay, and um so when you say the impeller burned out  
8  
9 MF: Hmm.  
10  
11 CZ: Explain to me what that is?  
12  
13 MF: Ugh, it actually something that I never changed before  
14  
15 CZ: Hmm.  
16  
17 MF: but I heard about it all the time that motor ugh [UI] the bilge motor essentially it's  
18 like a big vacuum  
19  
20 CZ: Hmm.  
21  
22 MF: and it uses um like a fan  
23  
24 CZ: Okay.  
25  
26 MF: that creates suction is what I assume. Um I was going to into it for the first time...  
27 um when we got back to the dock but never did. So if the engine is running at  
28 super high RPMs and you turn on that motor without it being cool by the water  
29 that it's sucking then it's going to overheat [UI] I think it's a medal fan.  
30  
31 CZ: Hmm.  
32  
33 MF: Um, and then just work it, so that it doesn't create suction anymore or break it or  
34 whatever. It gets destroyed in there.  
35  
36 CZ: Okay.  
37  
38 MF: Um  
39  
40 CZ: So when that burned out  
41  
42 MF: Hmm.  
43  
44 CZ: and you reported that to the captain?  
45



**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1 MF: Hmm.  
2  
3 CZ: Did you say he was instructed you to use the fire pump to get the water out?  
4  
5 MF: Yeah, it was urine actually that I was trying to get out.  
6  
7 CZ: There was urine in the bilge?  
8  
9 MF: Yeah, cause the holding tank was full.  
10  
11 CZ: Hmm.  
12  
13 MF: and it was leaking into when it fills, it leaks into the port bilge.  
14  
15 CZ: Okay.  
16  
17 MF: So, I was like down there working on a messy job and um that's why I forgot  
18 about the valve anyway cause I was trying [UI].  
19  
20 CZ: Trying not to touch anything?  
21  
22 MF: Yes  
23  
24 CZ: Okay, so did he tell you how to align the valves  
25  
26 MF: Yeah  
27  
28 CZ: To make it where the fire pump would work?  
29  
30 MF: Yeah and there is a diagram down there to  
31  
32 CZ: Okay,  
33  
34 MF: But he verbally talked me through it and then I just referenced the diagram and  
35 was able to  
36  
37 CZ: Have you ever done that before without him telling you how to do it?  
38  
39 MF: Not to use it as a bilge pump. He told me that it can be done but I never had to do  
40 it before. So, I never done it.  
41  
42 CZ: Okay and um, so you aligned it?  
43  
44 MF: Hmm  
45

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1 CZ: Pumped the urine over board?  
2  
3 MF: Hmm  
4  
5 CZ: Um and then what did you do after that was done?  
6  
7 MF: Ugh, went back and um [UI] went back I turned everything off and set all the  
8 valves to ugh, what they were but I left the, ugh starboard side. Um, so basically if  
9 you want to use the fire pump, you need to isolate the bilge pump. Um or else it  
10 will try to suck in through the bilge pump and then we don't have um [UI] and it's  
11 not strong enough anymore.  
12  
13 CZ: Okay.  
14  
15 MF: Um, so the regular setting is leaving the starboard side valves open and the port  
16 side close because we don't want to use the fire pump for those things. So, I had  
17 to open up all the portside valves in order to use it and ugh then I close all those  
18 and um left the starboard side closed as well. That was the only odd um, you  
19 know non regular um setting in the valve system cause I wanted to continue  
20 isolating the bilge pump because it was still burned out right  
21  
22 CZ: Hmm  
23  
24 MF: So that the next time I had to pump out it was going to be with fire pump again.  
25 So, I didn't have to remember to go back and close it all over again.  
26  
27 CZ: Okay.  
28  
29 MF: Yeah  
30  
31 CZ: It seems like you know the fire main system pretty good  
32  
33 MF: [UI]  
34  
35 CZ: Can you draw a picture of the entire system and you can use circles, or squares to  
36 represent valves and pumps or so however you want to do it.  
37  
38 MF: So, this is like the main bar.  
39  
40 CZ: Hmm  
41  
42 MF: and goes to different ports of the boat and they each have a valve.  
43  
44 CZ: What is that there that I'm looking at [UI]  
45

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1 MF: It's like the main pipe  
2  
3 CZ: Okay.  
4  
5 MF: plumbing, um then I mean there's a bunch of pipes and I don't know where they  
6 all go.  
7  
8 CZ: Hmm.  
9  
10 MF: I didn't build it but ugh, I know that there's a valve here which is an isolation  
11 valve and a valve here that's an isolation valve. There's through hole here, um  
12 and the bilge pump, like this one  
13  
14 CZ: Hmm  
15  
16 MF: and water pump over here. So basically, this one sends water ugh either two  
17 directions, one goes up. Um and it's also connected to the portside. I'm sorry. The  
18 starboard side and portside hoses, right?  
19  
20 CZ: Okay, so these arrows represent the fire stations?  
21  
22 MF: Yeah.  
23  
24 CZ: Okay.  
25  
26 MF: On top deck  
27  
28 CZ: Hmm.  
29  
30 MF: Um, and this guy goes there and um this is a through hole that sucks sea water in  
31 right, so [UI]. Um sucks sea water here.  
32  
33 CZ: Hmm.  
34  
35 MF: and doing normal operation.  
36  
37 MW: Can you write sea water there?  
38  
39 MF: Yeah  
40  
41 UM: [UI].  
42  
43 MF: Sea water here and that will go this pipe  
44  
45 MW: Hmm.

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MF: to the fire pump here and then there's a valve here and valve here. So every night  
3 basically what will ugh, will close this and open this to run the fire pump and suck  
4 sea water through the pump and then over board. And then after were done with  
5 that and then will turn off, and then close this, and open this. So that it's ready just  
6 to be turned on.

7  
8 CZ: Hmm.

9  
10 MF: and activate ugh well I guess this valve. Um, it operates both of these pumps or  
11 these pipes.

12  
13 CZ: Okay.

14  
15 MF: Because it goes to both hoses, right?

16  
17 UM: [UI]

18  
19 CZ: There's not two valves for both stations?

20  
21 MF: Yeah.

22  
23 CZ: Just one valve?

24  
25 MF: It will be one valve.

26  
27 CZ: Okay.

28  
29 MF: [UI] ugh, yes so [clearing throat] so open, close, closed ... open is the regular  
30 operation and then this one, you know pumps out of the engine room. This one  
31 pumps out of the bunkroom, this ones pumps out of the shower room. This one  
32 pumps out of the anchor or some combination

33  
34 CZ: Hmm

35  
36 MF: of those four um and the plumbing goes to different directions and there's another  
37 auxiliary ugh, which is like a blue valve that has a little hose that you can point  
38 wherever you want in the engine room.

39  
40 CZ: Hmm, okay.

41  
42 MF: That's the one I was trying to use, to pump out the portside. So, in order to do that  
43 um this is always open.

44  
45 CZ: Hmm.

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MF: So I had to close that, open this and ugh close this and open this.  
3  
4 CZ: Okay.  
5  
6 MF: Right and then I ended up having to put this from, like ugh a ninety-degree  
7 position or in line and fully opened.  
8  
9 CZ: Hmm  
10  
11 MF: to slightly closed. So that it only sucked up with a little sea water and increased  
12 the pressure being sucked out of the port bilge  
13  
14 CZ: Okay.  
15  
16 MF: and just for, you know [UI].  
17  
18 CZ: Sure.  
19  
20 MF: Um  
21  
22 MW: Can you put numbers on those different valves and then walk us through using the  
23 numbers how you close and open them?  
24  
25 MF: Um, four  
26  
27 CZ: and you said this one right here, runs off of the engine, right?  
28  
29 MF: Yeah.  
30  
31 CZ: Okay.  
32  
33 MF: Yeah [UI] pump like to runs off the engine.  
34  
35 MW: So take us through that once more  
36  
37 MF: So in order to build the fire pump as a bilge I had to open one and close two, open  
38 three and close four.  
39  
40 MW: That's the way captain Jerry told you to do it?  
41  
42 MF: That's, yeah.  
43  
44 CZ: Okay.  
45

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 MF: and that's the way the diagram  
2  
3 MW: Plus the diagram, okay.  
4  
5 MF: Would have showed you.  
6  
7 MW: Okay.  
8  
9 MF: Um, the first time I tried it ugh, I had done the first three but I had forgot to close  
10 four and then I had to go back up and he diagnosed that. Oh, you're still [UI]  
11 that's why you're not getting good suction out of, you know what you're trying to  
12 do essentially. Um, so it took a few times and I talked to him a few times but  
13 eventually got it and then really understood, you know the ends and outs of this  
14 thing, and at the end of this whole, you know got the pee overboard. Um, then put  
15 it back in the get ready to fight fire position which is one close, two open, three  
16 close and then once you closed three it doesn't really matter what the hell is going  
17 on over here.  
18  
19 CZ: Hmm.  
20  
21 MF: It's just isolated and then I opened up sea water all the way, so  
22  
23 CZ: and you remember doing this at night?  
24  
25 MF: Yeah, yeah absolutely. It wasn't that night. It was that afternoon.  
26  
27 CZ: The afternoon?  
28  
29 MF: Around four.  
30  
31 CZ: Okay.  
32  
33 MF: Or whatever the [UI] before the evening dive  
34  
35 CZ: Okay.  
36  
37 MF: Yeah.  
38  
39 CZ: and there's valves where the arrows are is a valve as well?  
40  
41 MF: Ugh, far as I know there's a valve at each station. Um, I can yeah, I guarantee that  
42 there's a valve at the port station because I always, um I knew that you had to turn  
43 it on from the portside.  
44  
45 CZ: Hmm.

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MF: So, um that's the one I focused on the most.

3  
4 CZ: Okay.

5  
6 MF: like knowing what it was, um [UI]

7  
8 CZ: Have you ever seen a fire pump start, um you kind of wonder how it started and  
9 like unexplained where somebody else started it?

10  
11 MF: No.

12  
13 CZ: Okay, I was just wondering if there's any other locations to start the fire pump.

14  
15 MF: Yeah, not that I know of.

16  
17 CZ: Okay.

18  
19 DH: and when you were doing this did you ever [UI] in the portside?

20  
21 MF: Oh, at the hose?

22  
23 DH: Yeah.

24  
25 MF: No, there was no need to do that [UI].

26  
27 DH: I was going to say what we be the only need to do that?

28  
29 MF: If you're trying to use the hose itself.

30  
31 CZ: Okay, have you ever seen anybody use those fire hoses ugh for any other purpose  
32 like to ugh [UI] hose down on a deck or

33  
34 MF: No, never.

35  
36 CZ: Or get a marine mammal out of the way or anything like that?

37  
38 MF: Never.

39  
40 MW: Ok, um we will just mark this as exhibit six and the diagram you just drew with  
41 the numbers and valves. Um, [UI] just a minute here ugh did you ever test any of  
42 the smoke detectors aboard the Conception?

43  
44 MF: I never tested the smoke detectors.  
45

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1 MW: Did you see anyone testing the smoke detectors on the Conception?  
2  
3 MF: I didn't see it.  
4  
5 MW: Do you know of anyone else tested the smoke detectors on the Conception?  
6  
7 MF: I had heard after this accident that um Jerry had tested them while somebody was  
8 working the A/C because he had to remove them anyways. Um, I'm not sure why  
9 he had to remove them but he had mention that he had just tried them and they  
10 were working fine.  
11  
12 MW: Jerry, captain Boylan mention that to you?  
13  
14 MF; Yeah.  
15  
16 MF: When did he say that?  
17  
18 MF: Ugh, he didn't mention it to me. I think, I just overheard it, ugh but he said that it  
19 happened a month before, ugh before the fire.  
20  
21 JJ: When did you hear this statement made?  
22  
23 MF: After the fire.  
24  
25 MW: But you never saw him test them?  
26  
27 MF: I never saw him test them.  
28  
29 MW: Did you ever hear anyone discussing, um another fire aboard the Conception?  
30  
31 MF: No.  
32  
33 MW: You ever hear anybody talking a fire involving a charger or battery aboard the  
34 Conception?  
35  
36 MF: No.  
37  
38 MW: You never heard the captain Boylan discussing that with anybody?  
39  
40 MF: Never.  
41  
42 MW: Um, did you ugh ... did you have any alcohol to drink the on that night of the  
43 fire?  
44  
45 MF: No.



## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 MW: Do you know if any of the other crew members had any alcohol to drink of the  
3 night of the fire?

4  
5 MF: Not to my knowledge. I would be very surprised.

6  
7 JJ: Why would you be surprised?

8  
9 MF: Because it's not what we did. It would be way outside of their characters as far as  
10 I know. I just met Ryan but [UI]

11  
12 MW: Do you know if you or any of the crew members did any drugs or smoked  
13 marijuana, or anything on the night of the fire?

14  
15 MF: Not to my knowledge, no.

16  
17 MW: Base on your knowledge of Michael Kohls would you expect him to be smoking  
18 pot [UI] on the multi day trip?

19  
20 MF: Absolutely not, yeah.

21  
22 MW: Why do you say that?

23  
24 MF: Ugh, you know what he does outside of ugh I know he's a surfer dude but when  
25 he's there, he's there to work for sure and he takes is seriously.

26  
27 MW: Um, I have you ever heard of that thing called the t-boat regulations?

28  
29 MF: Um, I have heard of the t-boat regulations, um

30  
31 MW: When did you first hear about this?

32  
33 MF: Ugh, I think it was during one of the coast guard inspections with [UI] ugh

34  
35 MW: The Chardonnay?

36  
37 MF; Yeah, chardonnay um but it was, I don't know. It was just like, I heard about T-  
38 boat [UI] like why is it called a t-boat [UI]

39  
40 MW: Um

41  
42 MF: Because it's like article T or something.

43  
44 MW: Did you ever hear anybody at Truth Aquatics talk about t-boat regulations ever?  
45

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1 MF: No.

2  
3 MW: How about captain Boylan did he ever discussed t-boat regulations with you?

4  
5 MF: No.

6  
7 JJ: Do you know what type of vessels the t-boat regulations apply to?

8  
9 MF: Ugh as far as I know its small passenger, like limited passenger. Um craft I don't  
10 know.

11  
12 MW: Like the Truth, the Conception and the Vision?

13  
14 MF: Yeah, like under a certain number of people but I'm not sure what that number is  
15 or any of the details [UI]

16  
17 JJ: Did you ever talk to anybody discuss the fact that the t-boat regulations applied to  
18 the Conception, Truth and the Vision?

19  
20 MF: Um, not specifically.

21  
22 MW: Um, when you were hired at Truth Aquatics did anyone go over the t-boat  
23 regulations at all with you?

24  
25 MF: No.

26  
27 MW: It wasn't part of an orientation or anything like that?

28  
29 MF: Not that I was involved in.

30  
31 MW: Um, when you were hired at Truth did ... was there any type of orientation before  
32 you ran out and did the dead head run and then started working on the  
33 Conception?

34  
35 MF: No, it was kind of learn as you go.

36  
37 MW: You ever heard of anything called the captain's meeting at Truth Aquatics?

38  
39 MF: No.

40  
41 MW: Do you recall anybody attending captain's meetings or discussing captain  
42 meetings?

43  
44 MF: Not as far as I heard of and definitely wasn't involved in any.  
45

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1 MW: Captain Boylan never said I can't do this. I got to go to a captain's meeting or  
2 something like that [UI]?  
3  
4 MF: No  
5  
6 MW: Okay. Have you ever seen a written procedure at Truth Aquatics regarding watch  
7 standards?  
8  
9 MF: No  
10  
11 MW: How about a written procedure regarding roving patrols?  
12  
13 MF: No  
14  
15 MW: Um, or any written procedure regarding night watches?  
16  
17 MF: No.  
18  
19 MW: Have you spoken to captain Boylan since the fire?  
20  
21 MF: Ugh, yeah only maybe twice, maybe more than that but just in two days. Um [UI]  
22 subsequent two days.  
23  
24 MW: What did you talk about with him?  
25  
26 MF: Um, I mean we talked about stuff you would expect, I think. Um, what we saw,  
27 how we feel.  
28  
29 MW: What do you remembering him saying?  
30  
31 MF: Um, I remember his ... I remember him asking me what I saw and then, um just  
32 kind of nodding along with it, like I don't know [UI] kind of thing.  
33  
34 MW: What did you interpret that to mean?  
35  
36 MF: I don't know. It's hard to say.  
37  
38 MW: What else do you remember him saying?  
39  
40 MF: Um, yeah it was just I mean it seem, like ... he seem, like he didn't ugh... it  
41 seemed like he was happy to have my perspective because I experienced things  
42 first hand. Ugh maybe more than he was able to and um, I don't know ... like,  
43 like it reassured that, you know he made the right calls to abandon basically ...  
44 um but I don't know, I mean.  
45

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1 JJ: Did he make any statement about things he should have done differently?  
2  
3 MF: No.  
4  
5 JJ: Did he make any statements about gee if we only had a watchman standing that  
6 night ... that these people would all be alive?  
7  
8 MF: He didn't say anything like that.  
9  
10 JJ: Did he say anything about like I wish we would have paid more attention to the  
11 Certificate of Inspection and having a roving patrol that maybe all these people  
12 would still be alive  
13  
14 MF: He didn't say anything like that. We didn't talk about any of the COI [UI] just  
15 talked about the details.  
16  
17 MW: Do you remember anything else he said during those two conversations?  
18  
19 MF: Um, well it might of been more than two conversations but not many more and it  
20 was just a couple days [UI] um and he wasn't and we didn't talk a lot. He was like  
21 pretty devastated and ugh we all kind of shell shocked but yeah, he didn't like  
22 pour his heart out or unleash any demons, or anything like that to me.  
23  
24 MW: Um, what about Glen Fritzler you talked to him since the fire?  
25  
26 MF: Yeah.  
27  
28 MW: What did you talk about with Glen?  
29  
30 MF: Um, a lot of stuff practical, like what happens now kind of things and um, like  
31 you know who to call for this or for that and, um I think as far as you guys are  
32 going to get to. Um, we talked about electronics, just, how much stuff is charging  
33 basically and how lithium batteries have been banned from airlines and stuff but  
34 not boats. So, he was like what's the deal there [UI]  
35  
36 MW: He brought that up?  
37  
38 MF: Yeah, it was like a weeks later or a week later, after everything. So, I'm sure, you  
39 know.  
40  
41 JJ: Did he discussed the facts that Truth Aquatics have problems with batteries fire  
42 on other boats in the past?  
43  
44 MF: Never.  
45

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1 JJ: Did he say anything like, gee, I wish I would have banned [UI] battery charging  
2 [UI]?  
3  
4 MF: No  
5  
6 JJ: Dive light charging or taken other steps to control how people charged the  
7 electronics on the boat?  
8  
9 MF: No, he said ... he wished the Coast Guard would of ugh or the NTSB would have  
10 communicated to the Coast Guard about those kind of things but he didn't.  
11  
12 JJ: But he told you he was aware that FAA had banned batteries, certain type of  
13 batteries on planes right?  
14  
15 MF: Yeah, but that was the present tense at the time of the conversation [UI]. I had  
16 known about this all along and that's not what he was saying.  
17  
18 JJ: Did he ask you whether or not captain Boylan had been requiring numbers of the  
19 crew to conduct the roving patrol?  
20  
21 MF: No.  
22  
23 JJ: He didn't ask ... he didn't question that wasn't one of the first things he asked  
24 you was whether or not captain Boylan was complying with the Certificate of  
25 Inspection and requiring the roving patrol?  
26  
27 MF: He didn't ask me.  
28  
29 JJ: Did he ask you whether it, if any of you have being standing the night watch  
30 while the passengers were in the bunk?  
31  
32 MF: He was ugh present during our initial NTSB interviews and I think he got a pretty  
33 good perspective on what happened.  
34  
35 [UM]: [UI]  
36  
37 JJ: Did he didn't ask you [UI]?  
38  
39 MF: [UI]  
40  
41 JJ: Ask you  
42  
43 MF: He didn't ask me any questions [UI]  
44

UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377

1 JJ: He didn't ask you weather captain Boylan had been complying with the night  
2 watch requirement?  
3  
4 MF: No  
5  
6 JJ: Or the roving patrol requirement?  
7  
8 MF: He didn't ask me these things.  
9  
10 JJ: Did he ask you about the nature of any firefighting efforts of anybody including  
11 yourself attempting that night?  
12  
13 MF: Not direct questions. No, he didn't ask me that?  
14  
15 JJ: Did he discuss with you sort of any ugh after action [UI] post event to figure out  
16 what with right or what went right, or who did what?  
17  
18 MF: No.  
19  
20 JJ: He didn't ask any questions like that?  
21  
22 MF: No.  
23  
24 MW: Um, did captain Boylan or other crew members put any restrictions on what  
25 passengers can charge on the Conception?  
26  
27 MF: No.  
28  
29 MW: Okay so you never heard of any, any restrictions or warnings, or anything giving  
30 the passengers on the Conception on what they can and cannot charge?  
31  
32 MF: No.  
33  
34 MW: Is that a no?  
35  
36 MF: Yeah, that's a no.  
37  
38 MW: Did Truth Aquatics have any written procedures or guidance that they provided to  
39 crew members on that?  
40  
41 MF: Not that I know of.  
42  
43 MW: Did you ever receive training on that?  
44  
45 MF: No.

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File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 CZ: Are you aware of any other captains with any of the other boats putting  
3 restrictions on the passenger's on what they can and cannot charge?  
4

5 MF: Not that I know of.  
6

7 MW: Or when they can charge things?  
8

9 JJ: [UI] Truth Aquatics boats  
10

11 MW: Truth Aquatics boats, yes.  
12

13 MF: Yeah, no.  
14

15 [UI] conversation  
16

17 CZ: Do you know anybody or you ... or you close with crew for the Vision?  
18

19 MF: Ugh, I mean I know them. I don't know about close.  
20

21 CZ: Are you aware of any fires that occurred aboard the Vision?  
22

23 MF: No.  
24

25 MW: Okay.  
26

27 JJ: Either before this fire on September 2<sup>nd</sup> aboard the Conception, either before that  
28 or after that have you had any discussions with anybody, either Truth Aquatics, or  
29 anybody on, you know works any other, for any other dive boat operator. Have  
30 you had any discussion about the fact that nobody, hey know nobody does the  
31 roving patrol or nobody does the night watch? Has anyone said that to you before  
32 the fire or, after the fire?  
33

34 MF: Ugh, what they said that to me?  
35

36 JJ: Yeah, has anybody discussed that with you what the other folks in the industry are  
37 doing with respect to the night watches or roving patrols?  
38

39 MF: Not industry wide, not really.  
40

41 JJ: Any discussions like that at all with the other boat operators are doing?  
42

43 MF: Ugh  
44

45 JJ: Outside of Truth Aquatics.

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377

1  
2 UF1: You're asking about if the crew  
3  
4 JJ: I'm asking if he's had any conversations with anybody before or after this fire  
5 about what the other dive boat operators are doing with respect to the regulations  
6 such as night watches or roving patrols  
7  
8 MF: Um, you mind if I speak to [UI] real quick?  
9  
10 JJ: oh no, not at all. Would you like for us to step out? You guys want to step out?  
11  
12 UF1: Yeah, Why don't you guys want to step out [UI]?  
13  
14 [UI] conversation  
15  
16 CZ: You can go ahead and stop the recorder.  
17  
18  
19 [End of transcription by Cassandra Tucker-McFall]  
20



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UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION



11000 WILSHIRE BLVD., STE. 1700  
LOS ANGELES, CA 90024

Requesting Official(s) and Office(s): SA , Los Angeles  
File Number: 45-LA-3161932  
Disc Number (Section): 1D377 - Part 3  
Transcriber(s) and Office/RA: Cassandra Tucker-McFall, Los Angeles/LAFO

VERBATIM TRANSCRIPTION

**Participants**

MW: Mark Williams  
JJ: Joseph Johns  
MF: Milton French  
UF1: French's Attorney  
DH: Derek Hill  
AX: Adam  
JH: Joseph Hamer  
CZ: Chris Zajackowski

**Abbreviations**

Primary language: (standard) English  
*Secondary Language:* (italics) Spanish  
UI: Unintelligible  
OV: Overlapping Voice

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File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 [Beginning of recording 00:00:00]

2

3

4 CZ: We're back on.

5

6 JJ: First let me ask you, um a question again?

7

8 MF: Hmm.

9

10 JJ: Since the fire have you had any discussions or heard anybody at Truth Aquatics

11 having discussions about what other [UI] competitors or what other divers [UI]

12 maybe doing about with the [UI] with the watch standing requirements or roving

13 patrol requirement?

14

15 MF: Ugh, since the fire it's been probably that a lot of rules are going to change. Um

16 mostly but um they haven't. I haven't heard too much about what other, like other

17 people in the industry are ugh going to be doing.

18

19 JJ: and who did you hear talking about potential changes to the rules or the regulations?

20

21 MF: Ugh, well there was something on the news. Um, I talked to Glen about it and um

22 I specifically just said that, you know if you guys keep going. I've been working

23 for this company for a while. I always thought it was my impression you guys were

24 very safe and ugh one of the people on the news was paying Glen a compliment

25 that um, that he would assume that Truth Aquatics will be willing to work closely

26 to try and get, you know trying to make sure this will never happens again of course

27 and ugh [UI] I just told Glen then, you know ugh, [UI].

28

29 JJ: So prior to the fire it's my understanding that you had never read the Certificate of

30 Inspection on the Conception?

31

32 MF: Correct.

33

34 JJ: Have you read the Certificate of Inspection ugh for any, for the Truth, or the Vision

35 since the fire on the Conception?

36

37 MF: No, I haven't been around on any of the boats [UI].

38

39 JJ: If I were to tell you that the Certificate of Inspection for the Conception, which is

40 basically its operating license, right?

41

42 MF: Hmm.

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1  
2 UM: Is that a yes?  
3  
4 JJ: Do you understand the Certificate of Inspection [UI] operating license?  
5  
6 MF: Yeah, outlines how the vessels supposed to operate under the regulations of the  
7 Coast Guard.  
8  
9 JJ: Is your understanding the Truth Aquatics and the captain are supposed to comply  
10 with the requirements on Certificate on the Inspection?  
11  
12 MF: Yes.  
13  
14 JJ: So you [UI] to your understanding those are the rules of operating that vessel,  
15 correct?  
16  
17 MF: Yes.  
18  
19 JJ: If I would tell you that Certificate of Inspection requires a roving patrol to look for  
20 dangerous situations and to sound the alarm in case of fire and man overboard  
21 things like that  
22  
23 MF: Hmm.  
24  
25 JJ: When anybody is down in the bunk or berthing area ... um whether at night or  
26 during the day.  
27  
28 MF: Hmm.  
29  
30 JJ: How would you feel about Truth Aquatics compliance with its operating license?  
31  
32  
33 MF: Um  
34  
35 JJ: Would you say... would you feel if they were in compliance with their operating  
36 license and C.O.I?  
37  
38 MF: No.  
39  
40 JJ: If I were to tell you that there is a regulation of t-boat regulations [UI] regulations  
41 185 point 4-10 which requires at any time at night. Whether on the way or not [UI]  
42 passengers are below um the bunking area that there must be a watch stood on that  
43 vessel to sound the alarm in case of fire, man over board or other dangerous

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File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 situation. Would you feel that Truth Aquatics and Captain Boylan were in the  
2 compliance with the law?  
3  
4 MF: No.  
5  
6 JJ: Do you feel that if there had been a roving patrol, somebody awake and patrolling  
7 that vessel at night as required by the C.O. I. that could have made a difference in  
8 somebody spotting that fire before it came so big  
9  
10 MF: Ugh.  
11  
12 JJ: Logically given the size of that vessel.  
13  
14 MF: I believe it could have but  
15  
16 JJ: What gives you hesitancy?  
17  
18 MF:4:04 Just simply the fact that we don't know exactly where it started ugh ... um I haven't  
19 read the regulations even since word for word myself. Um it had been explained to  
20 me by a number of people. Um, you know friends or whoever ... um but so, I'm  
21 not sure what the exact wording is verbiage but um, but I ... I mean if you have to  
22 patrol the entire the boat and it's fifteen minutes [UI] um yeah, I don't know why  
23 I'm hesitate to be honest, its  
24  
25 JJ: Are you trying, are you trying not get somebody in trouble?  
26  
27 MF: No, no, not at all. I just ugh that fire just moved so, freaking fast. It, I'm sure it  
28 wouldn't hurt anything. It would of helped but I'm just not entirely sure it would  
29 of prevented all of it. Um but I don't know that just, like my opinion. I don't know  
30 how the fire started if it was isolated and away from passengers then maybe it would  
31 of saved everybody for sure but it was in the bunk room and it moved that fast then  
32 I don't know, so  
33  
34 UM: You have any more questions?  
35  
36 UM: [UI]  
37  
38 MW: You've heard the name Roy Hauser before?  
39  
40 MF: Yeah.  
41  
42 MW: Have you met Roy Hauser?

UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1  
2 MF: No  
3  
4 MW: Where did you hear that name?  
5  
6 MF: Um, I mean .... I must have heard it right away. Um, I think, I came to know slowly  
7 over time that he used to be a co-owner or the owner of Truth Aquatics not sure.  
8 [UI] if they went into business together initially um [UI]  
9  
10 MW: Have you seen him around the  
11  
12 MF: I never seen him or met him.  
13  
14 MW: Have you ever heard Glen talking about him?  
15  
16 MF; Hmm, I don't think I heard Glen talk about Roy.  
17  
18 MW: Um, do you know if Roy still ugh took his money from Truth Aquatics for  
19 anything?  
20  
21 MF: I don't know anything about his involvement.  
22  
23 MW: Do you know who know who Glen Fritzler's wife is?  
24  
25 MF: I met her [UI] I met her after the fire I believe the first time. I might have seen her  
26 slash/ met her one time but I'm not sure about that but I met her after the fire.  
27  
28 MW: Do you know if she has a role in Truth Aquatics?  
29  
30 MF: Ugh, I would assume that she has some role but I don't know what it is.  
31  
32 MW: Have you ever seen her around Sea Landing or on any of the boats?  
33  
34 MF: Not that I remember.  
35  
36 MW: Um, do you know who trained ugh captain Boylan and how he'd become a master?  
37  
38 MF: Ugh, I'm guessing he got his captain's license from the Coast Guard.  
39  
40 MW: Do you know where he received any of his training or on the job experience?  
41

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 MF: Not really, I mean a lot of it was Truth Aquatics and know he's been working with  
2 the company for decades. Um, I don't know specifically. I know he also sailed and  
3 um his dad, like ugh was stationed at light houses. So he just always been around  
4 boats and sea his whole life.  
5  
6 MW: Do you know any captains that he's worked under?  
7  
8 MF: No, I don't know. I don't know names and I never met anybody that [UI] I would  
9 imagine those people are not around anymore.  
10  
11 MW: Do you know how the skiff or dingy on the roof top of the Conception ugh works  
12 when it's deployed?  
13  
14 MF: The dingy? You mean the life rafts?  
15  
16 MW: Yeah.  
17  
18 MF: Ugh, yeah you just ugh take off those covers.  
19  
20 MW: Hmm.  
21  
22 MF: Throw them off and throw off [UI] that's sitting up there.  
23  
24 MW: Have you practice that before?  
25  
26 MF: No.  
27  
28 MW: Has anyone showed you how to do that?  
29  
30 MF: No.  
31  
32 MW: Have you ever seen them actually deployed?  
33  
34 MF: No.  
35  
36 CZ: How do you know how to do that, then?  
37  
38 MF: Ugh [UI] It was verbally explained to me and I've cleaned up there.  
39  
40 MW: Hmm  
41  
42 MF: Scrubbing bird shit off. You can see how to do it essentially.

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1  
2 CZ: You mentioned um getting back to the engine room and the bilge alignment and  
3 you sucked out the bilge pockets with that had sewage in it?  
4  
5 MF: Hmm.  
6  
7 CZ: Um, is that something that you guys do often?  
8  
9 MF: Ugh, bilge the boat?  
10  
11 CZ: Pumped sewage overboard?  
12  
13 MF: No. I mean, we ugh so we don't use the bilge pump to do so but we open the valves  
14 um at sea [UI] the holding tank, the black water.  
15  
16 CZ: When would you do that?  
17  
18 MF: Ugh, anytime we move really.  
19  
20 CZ: Whenever you're moving?  
21  
22 MF: Yeah.  
23  
24 CZ: Have you ever done it at an anchor?  
25  
26 MF: No, ugh we would leave it open at the anchor sometimes, so we haven't  
27  
28 CZ: So what happens if you leave it open?  
29  
30 MF: Then the sewage goes into the water.  
31  
32 CZ: So, it automatically pump overboard?  
33  
34 MF: Ugh, well yes it's not like a pump overboard the drain is at the bottom and it just  
35 goes overboard essentially.  
36  
37 CZ: So, it would go overboard only if it was full, or it would go overboard when people  
38 flushed the toilet?  
39  
40 MF: Um, basically what would happen is ugh the valve, the black water valve ... um or  
41 the tank has a through hole and basically a gravity fed emptying system. Um so that  
42 if the valve is closed and then everything goes into the tank from the toilets and if

UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 the valve is open then anything that was in the toilets would go through the tank  
2 into the sea.  
3  
4 CZ: Okay.  
5  
6 MF: Yeah.  
7  
8 CZ: Um, is the Captain ever told you, Captain Boylan ever told you to leave it open?  
9  
10 MF: Yes.  
11  
12 CZ: While at anchor?  
13  
14 MF: Yes.  
15  
16 CZ: Okay, are you aware that is against the law or if that is following the law?  
17  
18 MF: Um, as far as I understood ugh it was ... there's a three mile or some distance away  
19 from the island's rule that we were violating.  
20  
21 CZ: That you were violating?  
22  
23 MF: Yeah.  
24  
25 CZ: So you were knowingly violating the law to your opinion?  
26  
27 MF: Yeah.  
28  
29 CZ: Okay, um when you also mentioned that you would stand ugh, watch on the helm  
30 when you guys were under way?  
31  
32 MF: [UI]  
33  
34 CZ: Are you qualified to do that?  
35  
36 MF: Um, that's ... I mean the captain [UI] of the vessel would make that determination  
37 as far as I am concerned but I don't have any Coast Guard certifications or anything  
38 like that.  
39  
40 CZ: I guess what I should ask is what type of training have you had in order to do that.  
41



**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 MF: Um, Jerry walked me through .... Um, he would basically, he would strategically  
2 pick the legs that the deckhands would take [UI].  
3  
4 CZ: Hmm.  
5  
6 MF: So that were not going to be crossing the channels, or intersecting islands, or  
7 basically anything like that. Um, he would have us monitor the radio, monitor the  
8 radar and monitor ugh the computer which is basically ugh a G.P.S or A.I.S system.  
9  
10 CZ: Hmm.  
11  
12 MF: Um and ugh as far as anything goes like we would, you know listen for noises. Um,  
13 you know the engine changes ugh that means potentially something got in the prop.  
14 So we would power down, you know throttle back and throw it in neutral, and then  
15 wake him up and then he would figure out what was going on ugh if, you know if  
16 blimps on the radar, which are other boats, came within certain mileages then we  
17 wake him up and he would take the proper actions, so.  
18  
19 CZ: So, let me get ... so that I'm clear, you would be doing this at night?  
20  
21 MF: Hmm.  
22  
23 CZ: Would you be the only person awake while you were operating in the vessel?  
24  
25 MF: Ugh, as far as the crew goes.  
26  
27 CZ: and so the master of the vessel was asleep?  
28  
29 MF: Hmm.  
30  
31 CZ: How about the second Captain was he asleep as well?  
32  
33 MF: Yes.  
34  
35 CZ: So the master and the second Captain were asleep while, you, the crew men  
36 unlicensed  
37  
38 MF: Hmm.  
39  
40 CZ: We're operating the boat, is that correct?  
41  
42 MF: Yes.

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1  
2 CZ: Okay.  
3  
4 MW: Were there passengers onboard?  
5  
6 MF: Yes.  
7  
8 MW: How many times did that happen?  
9  
10 MF: Um, well since I was sleeping down below ugh, I think, I only did it a handful of  
11 times.  
12  
13 MW: Hmm.  
14  
15 MF: Just because ugh Hunter was upstairs and he was more readily available, so  
16  
17 MW: Okay.  
18  
19 MF: not many for me but I know that it happened. Um, I just wasn't in the rotation, so.  
20  
21 CZ: Did you feel pretty confident in your ability to use a radar?  
22  
23 MF: Yeah, absolutely.  
24  
25 CZ: Okay, did you ever come into a situation when you saw another boat?  
26  
27 MF: Yeah.  
28  
29 CZ: What did you do in that situation?  
30  
31 MF: Well, I saw it on the radar. It got within the two mile buffer that Jerry established  
32 [UI]  
33  
34 CZ: Hmm.  
35  
36 MF: and I woke him up and asked him what he wanted to do.  
37  
38 JJ: Okay, do you know if you have to calibrate that radar [UI] essentially the distance  
39 between [UI]?  
40  
41 MF: Yeah, between the rings.  
42

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File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 JJ: Yes.  
2  
3 MF: Yeah.  
4  
5 JJ: Okay.  
6  
7 MF: and I was instructed on how to do that.  
8  
9 MW: Did he go through the other master requirements with you?  
10  
11 MF: What do you mean master requirements?  
12  
13 JJ: How to be a master of a ship?  
14  
15 MF: No.  
16  
17 UM: He just said look at the radar?  
18  
19 MF: Yeah, I mean he basically said, you know this is how the throttle works and this is  
20 how the A.I.S. you can, he wasn't very computer savvy, so um this how you change  
21 it over to night vision [UI] very, very basic details on stuff like that but not how to  
22 plug in waypoints or navigate around things or.  
23  
24 JJ: Did he allow you to calibrate the radar?  
25  
26 MF: Um  
27  
28 JJ: Just at a distance between the  
29  
30 MF: I don't think I needed to ... um he just told me how to do it just in case I needed to  
31 change it but  
32  
33 JJ: Right  
34  
35 MF: [UI] he said in this situation this is how you will do it basically.  
36  
37 CZ: What's the color of the starboard running light of a boat?  
38  
39 MF: Ugh, a starboard is green.  
40  
41 CZ: Okay, um you know any other navigational rules to the road?  
42

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 MF: Mostly sailing, like up wind down wind [UI].  
2  
3 CZ: Hmm.  
4  
5 MF: [UI].  
6  
7 CZ: Um, how about what to do if you come to a meeting situation with another boat?  
8  
9 MF: Deviate to starboard.  
10  
11 CZ: Hmm.  
12  
13 MF: but yeah as far as Jerry is concerned. Um, if you basically, if you got that far then  
14 you already like [UI] like that wasn't going to be an option, yeah.  
15  
16 CZ: Okay, um so getting back to the station bill what was you're as a crew member,  
17 what was your specific job on the station bill when you um, were aware of it for the  
18 C.O.I. Inspection?  
19  
20 MF: Ugh, it was very specific um, like it was deck hand one and deck hand two, and I'm  
21 not sure which deck hand was supposed to do what task but um, but as far as, like  
22 a man over board drill would go ... um you establish a pointer , well first you call  
23 out and get something in the water and establish a pointer and then um one person,  
24 deck hand preferably would don a life jacket in case he needed to assist getting the  
25 person in the water, from the water. Um and then you would, you know help the  
26 captain ugh navigate back to the person [UI].  
27  
28 CZ: Ugh, so were, was deck hand one and deck hand two did they have the same duties?  
29  
30 MF: Ugh, it was ... it was listed as um, specifically this one was going to be the pointer  
31 and this one was going to do this thing. I forget which one was supposed to do what  
32 but  
33  
34 CZ: So, as a ... um crew member on the Conception and haven't gone to that training.  
35 I might have missed this question, did you read the station bill on the Conception  
36 to know what your job was?  
37  
38 MF: Um, I think it was verbally explained more than anything.  
39  
40 CZ: Okay.  
41

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 MF: I think it was ... it was like this is the information that's in there. I think, he had us  
2 read it.  
3  
4 CW: Think he did?  
5  
6 MF: Yeah.  
7  
8 CW: or you know he did?  
9  
10 MF: I'm pretty had because I remember him asking Allie to read it.  
11  
12 CW: Okay.  
13  
14 MF: Um, but mine was in November and I've been working everyday on a sail boat too.  
15 Um and we do man overboard and those drills up there.  
16  
17 CZ: When you say yours was in November [UI].  
18  
19 MF: My like hire date, my introduction to the boat was in November.  
20  
21 CZ: Okay, so when you were hired.  
22  
23 MF: Yeah.  
24  
25 CZ: was there indoctrination into the boat?  
26  
27 MF: It was like I said before was kind of informal conversations about [UI].  
28  
29 CZ: Okay.  
30  
31 MF: about specifics but  
32  
33 MW: Can I ask you, what were the duties for in an event of a fire on the station bill or  
34 the Conception?  
35  
36 MF: Um, it was ugh I don't know if it was outlined in the event of this kind of fire, that  
37 kind of fire but it was ugh basically cut off oxygen to source to the fire by, you  
38 know if it's an engine room then deploy vents, um vent coverings and  
39  
40 MW: Who job was that?  
41

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 MF: 18:10 Um, I don't know basically. So I don't know it word from word of course um, but  
2 from my understanding if we had an engine room fire, then the first thing you would  
3 do is ask the captain what to do next because there are certain situations ... um,  
4 were you want an engine room fire that's safer to let it burn a little bit longer while  
5 you maneuver to a safer position, so you don't automatically start deploying things  
6 without the captain telling you.  
7

8 MW: This is in the station bill?  
9

10 MF: Um, I'm not sure if it's in the station bill but this was my understanding of what to  
11 do in a fire. Um what to do in any emergency situation ... um man overboard ugh  
12 it's pretty cut and dry that people need to float so, get them something to float and  
13 make sure you don't [UI]  
14

15 MW: [UI] Fire  
16

17 MF: But as far as the fires were explained when I ugh had discussed that with Jerry ugh  
18 then, you know it depends what kind of fire it was. If it's in the engine room you  
19 don't want [UI] then the engine is going to suck it up. Um that chemical and then  
20 die and then we won't have maneuver ability, and that might not be that good [UI]  
21 you know at that point. So, for basically I understood it that before ... I unless  
22 somebody's in immediate danger then I would look for a direction before fighting  
23 that kind of fire but in engine, like a bunker fire or something like that then if  
24 possible, you get everybody clear of it and start fighting it right away in whatever  
25 order needs to happen first.  
26

27 MW: Do you remember what the station bill said on the conception for the duties of each  
28 crew member in the event of a fire?  
29

30 MF: Not specifics.  
31

32 DH: 20:08 I got a couple of questions for you [UI]. So when you first got up, you couldn't see.  
33 It was kind of a glow and those guys went out on the sundeck  
34

35 MF: Hmm.  
36

37 DH: Ahead of you, right? How far under the sundeck did they make it, do you know?  
38

39 MF: Not sure.  
40

41 DH: Or when you got your glasses on, how far out were they?  
42

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 MF: Um, I think they were coming back already.  
2  
3 DH: Okay.  
4  
5 MF; Um, the first person met me in the hallway maybe, close to the doorway.  
6  
7 DH: and then when you went out, did you make it all the way to the stairs?  
8  
9 MF: I think, I stood up on ugh, ugh it's not really a good picture of it but, basically if  
10 were looking at exhibit one ... um you come out of this doorway.  
11  
12 DH: Hmm.  
13  
14 MF; and then there's a raise portion here where all the life jackets are ugh, stored and  
15 you have to go around it. I think I just stood up on that raised portion.  
16  
17 DH: Okay and so you were looking over in this corner?  
18  
19 MF: Yeah.  
20  
21 DH: Where you marked flames  
22  
23 MF: Um, really looking at the stairs like  
24  
25 DH: Okay.  
26  
27 MF: I can't get down there.  
28  
29 DH: Okay, so was there a fire coming up were those stairs were already?  
30  
31 MF: Yeah.  
32  
33 DH: Okay and so then um, you go back down and you're on the main deck ... eventually  
34 you get on the main deck  
35  
36 MF: Hmm.  
37  
38 DH: You said it wasn't much of a wind can you describe, did it look like the fire was  
39 been pushed into the galley and into the wheel house or was it pushing back at you  
40 on the back of the deck?  
41  
42 MF: Um, when I got onto the main deck I was on the bow

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File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1  
2 DH: Okay, no I'm sorry then once you went into the water and came back up  
3  
4 MF: Um, then it was pretty much Colin and I wasn't really looking up to much um  
5  
6 DH: Um, was it smoke in there [UI]?  
7  
8 MF: I wasn't breathing in any smoke basically ugh there wasn't any wind to speak of.  
9 Everything was traveling vertical.  
10  
11 DH: Straight up  
12  
13 MF: Yeah, cause you could ... I mean, I could basically ugh get to the engine room  
14 hatch. Um and just I mean here was on fire and it was hot but I wasn't getting hit  
15 by smoke cause it wasn't' getting pushed at me.  
16  
17 DH; Okay  
18  
19 MF: Or really away from me either but  
20  
21 DH: So that take me to [UI] so you got up to the engine room hatch  
22  
23 MF: Hmm.  
24  
25 DH: I think you described it, the fire look like it was there but it wasn't up over the  
26 hatch, yet?  
27  
28 MF: Yeah.  
29  
30 DH: So there it was the stairs that came down and that I am going to call it the third  
31 bathroom?  
32  
33 MF: Yeah.  
34  
35 DH: that exterior bathroom, was that area on fire as well?  
36  
37 MF: Yeah.  
38  
39 DH: Floor to ceiling?  
40  
41 MF: Yeah, as far as I know.  
42



**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 DH: Okay.  
2  
3 MF: Yeah and all the way to the railings too, passed that bathroom. The rails were on  
4 fire too.  
5  
6 DH: Ugh the starboard side rails?  
7  
8 MF: The starboard and port.  
9  
10 DH: Okay.  
11  
12 MF: It was the whole area. It was totally inaccessible, like to the gates, the side gates.  
13 Um, maybe it was as far as it can go [UI] I don't think you could get to the gates  
14 really.  
15  
16 CZ: Okay, what gates are you talking about?  
17  
18 MF: Their side gates um, port and starboard.  
19  
20 DH: I see, okay.  
21  
22 MF: yeah, those guys  
23  
24 CZ: So you couldn't even get up to that.  
25  
26 MF: I mean, I wasn't looking at the gate really. Um, I don't know if it was on fire or  
27 just past it was but the rails were burning. Um, I remember watching, like the rail  
28 was melting away up forward of the gate and maybe that gate too. I'm not sure.  
29  
30 CZ: The rail been the out of outer gunnel rail?  
31  
32 MF: Yes, exactly.  
33  
34 CZ: Okay.  
35  
36 DH: Okay and that's the starboard side that you noticed it?  
37  
38 MF: Yeah.  
39  
40 DH: Okay, um did you hear any smoke detectors?  
41

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File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 MF:23:55 Um, I heard something when I came back in from the sundeck and I took that half  
2 a second to, you know take direction or whatever. Um, heard something that I just  
3 remembered thinking, like that alarm is so quiet. Um, like what is that alarm, it  
4 probably wouldn't even wake me up. If I, you know if I was dead asleep then only  
5 that alarm was going off, like I could sleep right through that.  
6  
7 DH: Okay.  
8  
9 MF: and I was trying to pinpoint on the dash board where it was coming from but it  
10 seemed like it was really coming, like far away and um thinking back now ugh that  
11 may have been smoke alarms in the bunkroom and that's why it was that quiet but  
12  
13 DH: Have you ever serviced the smoke detectors?  
14  
15 MF: No.  
16  
17 DH: Ever taken them down or replace the batteries or anything?  
18  
19 MF: I mean, I've done household smoke detectors ...um, you know in my house but not  
20 on the Conception.  
21  
22 DH: Okay, um so there's some gas cans down there?  
23  
24 MF: Yeah, there ugh portside all the way aft.  
25  
26 DH: Okay, how many?  
27  
28 MF: Three ugh, one of them would have been in the skiff. So two on the Conception at  
29 the time. Um and then the third one was in the skiff connected.  
30  
31 DH: Its in the portside half corner?  
32  
33 MF: Hmm.  
34  
35 DH: and what do they stored in?  
36  
37 MF: Like a plastic white box. I don't know if you can see any of this [UI].  
38  
39 DH: Hmm. What else is in that white box?  
40  
41 MF: Um, mostly spare line and ugh, yeah [UI] there's a little bit of hose that would hook  
42 up to a scuba tank and fill up the bladders of the skiff with [UI].

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File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1  
2 DH: Okay. And that's all in that white box?  
3  
4 MF: Hmm.  
5  
6 DH: Does that white box have any writing on it?  
7  
8 MF: It might. I know that one of them... I don't know if ours has writing. I know that  
9 the Vision I think says gas um, not sure if ours does.  
10  
11 DH: Okay.  
12  
13 MF: I can't remember ugh seeing a placard.  
14  
15 DH: Was there ever a gas can down in the laz?  
16  
17 MF: No, no.  
18  
19 DH: Okay, so there's some blue buckets that you guys have around the boat?  
20  
21 MF: Yeah.  
22  
23 DH: Where were those mostly kept?  
24  
25 MF: under the stairs. Um under the stairs to the sun deck and then if were using one, one  
26 in the galley for slop or basically organic waste.  
27  
28 DH: Okay, so if I found two buckets that are sitting kind of side by side where [UI] or  
29 were they in the back of it?  
30  
31 MF: Two buckets side by side?  
32  
33 DH: Yeah, two blue ones  
34  
35 MF: Um, if they were full of slop then we would put them, like where we clean fish.  
36  
37 DH: Okay.  
38  
39 MF: Um and then cover them in like a piece of foil. So just there not next to anything  
40 that, you know because, you know it's just rotting and we have to wait to were so  
41 far away to throw it overboard.  
42

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File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 DH: It's just leftover food, is that what it is or?  
2  
3 MF: Yeah.  
4  
5 DH: 27:25 Okay, so I mean was there a lot of blue buckets on it or how many... I mean  
6  
7 MF: on the boat?  
8  
9 DH: Yeah.  
10  
11 MF; Um, it might have been five.  
12  
13 DH: and none in the laz that you're aware of?  
14  
15 MF: Ugh, not that I mean if somebody because we use them for all kinds of things. Um  
16 cleaning supplies, like we'll put ugh half cupful of bleach and a little simple green,  
17 and then dawn, like dish soap and ugh scrub out the laz.  
18  
19 DH: Okay.  
20  
21 MF: But it shouldn't have been blue bucket in the laz as far as I know.  
22  
23 DH: What size or those gas cans, you know?  
24  
25 MF: I think one is ugh five gallon.  
26  
27 DH: Not counting the one in the  
28  
29 MF: Yeah in the  
30  
31 DH: In the skiff  
32  
33 MF: The one that goes in the skiff is ugh, you know the flat kinds.  
34  
35 DH: Yeah.  
36  
37 MF: only two of those and then one is like ... I don't know is that five gallons or ten  
38  
39 DH: So you have two of them that can interchange them in the skiff?  
40  
41 MF: Yeah.  
42

UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 DH: So  
2  
3 MF: and then we have like a spare, bigger one to refill those if somehow we go through  
4 all that gas.  
5  
6 DH: and what is normally kept in the white bucket you were talking about box?  
7  
8 MF: Um, one is kept in the skiff and then the spare two that were not using is kept in the  
9 white box. Right, so there is three total, two are flat and one is a little bit bigger,  
10 like a traditional gas can.  
11  
12 DH: Okay, so then the flat one that would go in the skiff, the spare for the skiff would  
13 be kept in that white box along with the  
14  
15 MF: Yeah  
16  
17 DH: Five gallons.  
18  
19 MF: Yeah, lightly larger maybe five or ten  
20  
21 DH: [UI]  
22  
23 MF: gas can  
24  
25 DH: Do you remember what kind they were at all [UI]?  
26  
27 MF: Oh, no.  
28  
29 DH: Okay.  
30  
31 MF: Red.  
32  
33 DH: [UI]  
34  
35 MF: Standard gas can [UI]  
36  
37 DH: Okay, um a few more things do you know where the electrical or electrical panel  
38 was?  
39  
40 MF: Ugh, I know where the ... are you talking about the breakers?  
41  
42 JJ: Yep.

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File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1  
2 MF: Um, I know where the breaker was in the engine room and  
3  
4 DH: Where was it at in the engine room?  
5  
6 MF: So if you're in the down the hatch um  
7  
8 DH: Yeah.  
9  
10 MF: and you go down the stairs. It's basically around under the stairs on the aft most  
11 wall starboard side and um yeah, that's where you will find all the breakers for the  
12 engine room and then the other one is ugh as your walking through galley and go  
13 down the stairs to the shower room and then you can find the breaker panel for  
14 basically the rest of the boat.  
15  
16 DH: Okay, um so when you're down in that engine room [UI] you mentioned earlier a  
17 couple of battery locations up basically in the front engine room, right for each  
18 engine.  
19  
20 MF: Hmm  
21  
22 DH: Is there another one back there for the generator as well?  
23  
24 MF: Hmm.  
25  
26 DH: Where does that sit?  
27  
28 MF: Ugh, it sits just outboard of the generator.  
29  
30 DH: Okay, do you know how many cells are that one [UI] how big that one  
31  
32 MF: I believe it's two.  
33  
34 DH: Okay, now do you know was there another battery pack up ugh, in the wheel house?  
35  
36 MF: Yeah.  
37  
38 DH: and where is that at?  
39  
40 MF: Ugh, it's under the starboard dash.  
41  
42 DH: and that's a bigger battery pack?

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1  
2 MF: Um [UI] one or two. I just did all the water on them  
3  
4 DH: Okay  
5  
6 MF: Um, like six months before or something but  
7  
8 DH: So with that maybe, you don't know with the main panel in the engine room there,  
9 for the engines the conductors, do you know which way they ran once they came  
10 out of the panel?  
11  
12 MF: Oh, no.  
13  
14 DH: Okay  
15  
16 MF: That, I don't know.  
17  
18 DH: and then one more question for you is there's some red and green tags, dive tags  
19  
20 MF: Hmm  
21  
22 DH: you guys must use them on the tanks. Where those were normally kept at?  
23  
24 MF: Ugh [UI] there at the aft most knob stations.  
25  
26 DH: Yeah  
27  
28 MF: [UI]  
29  
30 [UI Background conversation]  
31  
32 JJ: Anybody else have any questions?  
33  
34 UM: Ugh, I can follow up [UI] run through pretty quickly  
35  
36 JJ: Do you know the name Brian Pridden [SP?]?  
37  
38 MF: Um, I know Brian ... um I assume you talking about the second captain that worked  
39 there for a short time?  
40  
41 JJ: Yes, do you know why he quit working at Truth Aquatics?  
42

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 MF: I wasn't there during the trip that he quit. Um, I was up in Santa Cruz ...um but I  
 2 assume I don't know he didn't seem like that excited to work that hard to me. Um  
 3 so it wasn't a surprise but I didn't talk to him afterwards or really before about [UI].  
 4

5 JJ: Did you hear captain Boylan or Mikey Kohles, or anybody else make any negative  
 6 comments about Brian after he left [UI]?  
 7

8 MF: Ugh, I don't know, like just like [UI]. I guess he gave Jerry much attitude as they  
 9 were cleaning the boat because he already basically quit. Um and it just wasn't a  
 10 good trip, yeah.  
 11

12 JJ: Okay, after you all woke up on the evening of the fire, morning of the fire how  
 13 many times did you see Mikey Kohles run along the portside at the galley? How  
 14 many times did you see him going back and forth?  
 15

16 MF: I didn't see him ugh go back at all but um, he got down before me and from what  
 17 he told me as soon as he dropped down he ran directly back. Ugh saw this section  
 18 the galley doors and then ran up and then I jumped down. [UI] How the timeline  
 19 works in my head and then basically following him when I look back but not  
 20 following him, but like flowing him moving past the port side [UI] it was  
 21 impassable so, I didn't see him go down the side, like myself but  
 22

23 JJ: You only saw him coming back from the entrance to the entrance to the galley.  
 24

25 MF: I don't even ... I didn't see him run out outside either, from what I remember. Um,  
 26 I just saw him at the front. I didn't know until afterwards that he had even made a  
 27 trip down that side and when he told me that he had. I was confused because that  
 28 section was on fire and I asked him how he did that and ugh  
 29

30 JJ: So the safety briefing is conducted, is always conducted the first full morning after  
 31 the voyage gets on the way, correct?  
 32

33 MF: Ugh, yes already traveled from the harbor, from Santa Barbara to which ever island  
 34 [UI]  
 35

36 JJ: and typically that between 4 a.m. and when everybody wakes up, the passengers  
 37 wake up the next morning. The passengers are sleeping down in the bunk area right?  
 38

39 MF: Yeah, unless somebody is sea sick or [UI]  
 40

41 JJ: Got you.  
 42



**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 JJ:35:16 The bow hook where was that or where is that normally stow, stowed on the  
2 conception?  
3  
4 MF; Ugh that's the bow anchor which is like on the very bow of the boat[UI].  
5  
6 JJ: Okay.  
7  
8 MF: Like the very tip of the bow.  
9  
10 MW: I think the question was the thing that you were using to write your name and the  
11  
12 MF: Oh, the bow, sorry  
13  
14 JJ: [UI]  
15  
16 MF: That's the boat hook for the bow, my bad. Um that's along ugh the portside, like  
17 just inside this rail ... um probably like fifteen or twenty feet long and ugh just  
18 hangs onto loose hooks. It's like plastic or aluminum [UI]  
19  
20 JJ: Okay, when you woke up ... when you were awoken that morning to the cry of fire  
21  
22 MF: Hmm  
23  
24 JJ: Um, where there, where any of the deck lights on, on the main deck or where they  
25 all turned off?  
26  
27 MF: Ugh, that I'm not sure of because the fire was pretty bright. I'm not sure... I would  
28 of notice the lights. I mean they were on fire to, so  
29  
30 JJ: Okay.  
31  
32 MF: I'm not sure.  
33  
34 JJ: You were barefoot, correct?  
35  
36 MF: Yeah.  
37  
38 JJ: Was the deck, the wheel house deck hot or warm to your feet?  
39  
40 MF: Not that I noticed.  
41  
42 JJ: Was the main deck warm or hot to your feet?

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1  
2 MF: Not where I was standing.  
3  
4 JJ: When you were trying to get in the window ugh at the bow  
5  
6 MF: Hmm.  
7  
8 JJ: the front of the [UI], center window, would you describe trying to leave your fingers  
9 under the gap and banging on it. ...was that window warm or hot to the touch?  
10  
11 MF: So it wasn't hot but I wasn't ... I don't remember feeling it. I remember seeing it  
12 um but I was pounding on it but it wasn't [UI]. I didn't feel it ugh, you know that  
13 heat signature [UI]  
14  
15 JJ: It wasn't burning your hands?  
16  
17 MF: Yeah, exactly.  
18  
19 JJ: Like when you pick up a hot  
20  
21 MF; Right  
22  
23 JJ: Like a blazing hot cast iron skillet.  
24  
25 MF: Yeah, ugh didn't have any scars or marks.  
26  
27 JJ: and you were trying to fix your fingers to the gap too  
28  
29 MF: Yeah.  
30  
31 JJ: and it wasn't burning your fingers tips [UI]  
32  
33 MF: But it um, the window has like ugh a ledge  
34  
35 JJ: Hmm  
36  
37 MF: essentially and I could only get under the ledge and not into the windows itself, so  
38  
39 JJ: It wasn't burning your fingertips?  
40  
41 MF: Not that I remember.  
42

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 JJ:37:35 Now do you know that night, that morning ... do you know if any luggage, scuba  
2 gear was being stored along the portside?  
3  
4 MF: Which is the left side or the right side?  
5  
6 JJ: I'm sorry on the right hand side  
7  
8 MF: Starboard side.  
9  
10 JJ: Starboard side, my bad.  
11  
12 MF: Um, yes.  
13  
14 JJ: Tell us about this  
15  
16 MF: Stuff was um and most people's dive gear that there actively using  
17  
18 JJ: Hmm.  
19  
20 MF: stays in on the aft deck. Um and then anything ugh extra basically that you're not  
21 using all the time will go on either the port or starboard sides and usually is kept in  
22 bins, like those big, you know those storage totes or whatever. Um or some kind of  
23 bag and we don't inspect stuff that's in it. So, I'm not sure what was there ugh  
24 specifically. Um I know that if there were a few bags in totes and whatever else,  
25 um  
26  
27 JJ: Was the passage way blocked or was it open?  
28  
29 MF: We always leave at least a, you know a few foot, like foot path. Um just cause we  
30 travel up and down those sides all day long.  
31  
32 JJ: So between, between the time ... between the moment you woke up to somebody  
33 saying fire, to the point that you all arrived at the Grape Escape. What orders or  
34 commands did Captain Boylan give to you, or you heard him give to other crew  
35 members?  
36  
37 MF: Um, specifically ugh yeah, we heard fire and then get out there basically. Ugh and  
38 go that way and he said get onto the main deck. I'm pretty sure he said the words  
39 over the wing stations and then he was on the radio while we were trying to get into  
40 the galley and then he got overcome by smoke. Then to the water and he was telling  
41 us to get off the boat.  
42

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 JJ: Now at one point you were asked whether or not you heard these sounds of people  
2 struggling, yelling from below decks, you said nothing that was undeniably a  
3 person. What do you mean by that?  
4

5 MF: Ugh  
6

7 JJ: Did you hear sounds that were consistent that you thought might be struggling or  
8 people trying to get out?  
9

10 MF: I didn't hear. I didn't hear any ugh, anything really. I mean it was actually kind of  
11 spooky quiet ugh, the fire was pretty loud and you can hear voices. Um but there  
12 was no pounding and there was no screaming, and there's no yelling or thudding,  
13 or anything like that. Um, I think undeniably a person that was talking about what  
14 the other crew reported hearing to me [UI].  
15

16 JJ: [UI].  
17

18 MF: You know because you asked me if I had heard of anybody.  
19

20 JJ: Yeah.  
21

22 MF: hearing anything and I think what I said was nobody gave me the impression that  
23 they heard anything that was undeniably a person because, because Mikey said that  
24 he might have heard a little faint of a whisper or something [UI].  
25

26 JJ: Now you mention that you never participated in any drills or in any drills aboard  
27 the Conception [UI]?  
28

29 MF: No  
30

31 JJ: [UI] You never participated in any active fire suppression drills  
32

33 MF: Not aboard the Conception [UI]  
34

35 JJ: Right, um but you did participate in a couple of Coast Guard annual inspections  
36 aboard two other boats, the Truth and the Vision, right?  
37

38 MF: Hmm  
39

40 JJ: Um and you indicated that at one point you went down for simulated fire in the  
41 berth area and you showed that you pulled the pin on the extinguisher [UI].  
42

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 MF: 41:30 Hmm.  
2  
3 JJ: Had you been taught that just before that inspection or was that knowledge [UI]  
4 and talked too previously?  
5  
6 MF: That was something that I came into the job with.  
7  
8 JJ: Now you said that Glen Fritzler is the owner. How do you know Glen Fritzler is  
9 the owner of Truth Aquatics?  
10  
11 MF: Um, I don't know. I feel like he's, I mean [UI] he didn't shake my hand and say  
12 he was the owner of Truth Aquatics but he's pointed him out as such [UI] its been  
13 the general understanding that that's the case .  
14  
15 JJ: Okay, so those two Coast Guard inspections aboard the Truth and the Vision that  
16 you participate in um, do you recall where the two captains were?  
17  
18 MF: Ugh, it was Glen was on the Truth and Ian on the Vision.  
19  
20 JJ: Glen Fritzler?  
21  
22 MF: Yeah  
23  
24 JJ: The Truth?  
25  
26 MF: and Ian Higgens  
27  
28 JJ: So tell me about the Coast Guard inspection aboard the Truth. Um, when Glen  
29 Fritzler was the captain, was that inspection take place in the port at the dock or  
30 was that on the water?  
31  
32 MF: Ugh, it was both um, so the technical inspections takes place at, you know while  
33 were tied up at the dock. Um, that's when they check the system and make sure all,  
34 you know the alarms sound when they should and we know where things are but  
35 then we traveled out ugh, just outside the harbor and you throw like a buoy [UI] or  
36 something [UI]. I think it's a life ring and so a man overboard drill um, I think the  
37 fire ugh the fire station took place at the dock too but it's ninety percent dock and  
38 then we just go out for a few minutes and do whatever they need to do with engines  
39 [UI] I wasn't really part of that part.  
40  
41 JJ: So, prior to either of those two coast guard inspections with either Glen Fritzler on  
42 the Truth or Ian Higgens on the Vision. Did either of the two captains give you any

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 new instructions that you haven't heard before to make sure that you could help  
2 those vessels past the tests.  
3  
4 MF: Um, I think it was mostly specifics on those two boats cause I mean there all  
5 basically the same thing but not identical. Um, so things are located in different  
6 positions and um, yeah I mean it wasn't like we know, you don't have any idea  
7 what you're doing but you need to know this, for this. It was just, like here's the  
8 specifics of this boat because you're gonna actually be asked this so you're gonna  
9 need to know this[UI].  
10  
11 JJ: And they told you that morning, the morning of the inspection?  
12  
13 MF: Oh, like the day before we got ... we um bilges and you know the engine room  
14 needs to be clean of oil deposits. Ugh, so we spent half a day cleaning everything  
15 [UI]  
16  
17 JJ: [UI] I'm talking about the instructions  
18  
19 MF: Right, right so.  
20  
21 JJ: What type of instructions?  
22  
23 MF: it all happened like at that same time  
24  
25 JJ: Oh  
26  
27 MF: as were cleaning  
28  
29 JJ: So the day before while you were cleaning the ship  
30  
31 MF: Yeah.  
32  
33 JJ: presentable that's when Glen Fritzler on the Truth and Ian Higgens on the Vision  
34 [UI]  
35  
36 MF: Hmm  
37  
38 JJ: Sort of gave you some [UI] last minute instructions on  
39  
40 MF: Yeah  
41  
42 JJ: How to pass the inspection

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1  
2 MF: and what to expect and you know what the [UI] and making sure we knew the  
3 correct answers and if we didn't then ... yeah what they were, so.  
4  
5 JJ: [UI]  
6  
7 MF: Yeah, it wasn't um, like pulling two guys off the street and [UI] just making sure.  
8  
9 JJ: Okay, is that the only time you been aboard one of the three Truth Aquatics vessels  
10 when Glen Fritzler was actively the captain?  
11  
12 MF: Yes  
13  
14 JJ: Do you have ... during the time that you worked at Truth Aquatics between  
15 November 2018 up until a couple of weeks ago. Ugh, are you aware of how  
16 frequently Glen Fritzler will go out and captain [UI]  
17  
18  
19 MF: I hear that it happens um, but it's not often. Um, I think, I've seen him ... Captain  
20 I forget which one it was. It must have been the Truth um but not sure. Um but I  
21 saw him on one of the other boats as captain, like anchored near us in passing.  
22  
23 JJ: Was that overnight or a multi-day trip?  
24  
25 MF: I believe so.  
26  
27 JJ: Okay, do you know whether or not that Glen Fritzler requires his crew [UI]  
28 maintain night watch [UI]  
29  
30 MF: I never worked with him overnight trips. So I'm not sure.  
31  
32 JJ: As you sit here today though, you probably have a pretty good idea what is it?  
33  
34 MF: Um, I mean  
35  
36 JJ: an honest answer  
37  
38 MF: Yeah  
39  
40 JJ: Do you believe that Glen Fritzler is ordering when he's out captioning [UI] is  
41 ordering his crew and his deck hands to stand night watch [UI]  
42

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 MF: It's  
2  
3 JJ: or conduct roving patrols  
4  
5 MF: It's just speculation but I had never heard of that beforehand. So I wasn't under the  
6 impression that Jerry was the only one not doing it. So I don't know what he does.  
7  
8 JJ: Would that be your assumption that he's not doing it or ordering it either?  
9  
10 MF: Um, probably not of the crew. I haven't heard, you know from the crew that they  
11 had to do that ... um of course and I think the only thing I heard him talk about  
12 was that while he's out at sea ... um but this was after the fire, so. Um while he's  
13 captain then he just stays up, he says because, you know he doesn't do it very often  
14 so he can lose his sleep [UI] doesn't make the crew [UI] so he's like the night watch.  
15  
16 JJ: He's told you this since the fire?  
17  
18 MF: Ugh, I think he's talked about it but [UI] I don't think he was talking to me.  
19  
20 MW: So what happens during the day then if he's up all night?  
21  
22 MF: You have to ask him. I don't know. It wasn't like it was an in-depth conversation  
23 where I [UI]  
24  
25 JJ: I'm trying to understand this... you heard, like second hand hear say  
26  
27 MF: exactly  
28  
29 JJ: like third hand [UI] you heard somebody say that Glen said that when he does this  
30 he's stays up all night.  
31  
32 MF: Um, I heard Glen say that when he's the captain ... he stays up at night and acts as  
33 watch.  
34  
35 JJ: and this is since you heard this Glen say that, since the Labor Day fire?  
36  
37 MF: Correct  
38  
39 JJ: that destroyed the Conception?  
40  
41 MF: Yeah  
42



**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 MW: When did you hear him say that?  
2  
3 MF: probably, I don't know actually, one of the interactions [UI].  
4  
5 JJ: Did he say this directly to you or you overheard him saying it to somebody else?  
6  
7 MF: I do not know what the details are. We might have been, I don't know we talked  
8 on the phone. It might have been during that. It might been him talking to somebody  
9 else. I just, I just ugh don't remember. It wasn't ... I don't know it wasn't like that  
10 important to me. I was ugh, I don't know that also whose knows what's true  
11 anymore because everybody's just [UI] if somebody says something like that [UI]  
12 okay say that two weeks ago not sure  
13  
14 JJ: [UI]  
15  
16 MF: Not my business.  
17  
18 JJ: Fair enough. That's why we were asking the questions, thank you.... At any point  
19 did you hear Captain Boylan, this is the morning of the fire. At any point did you  
20 hear him activate the P.A. system and shout or tell everybody abandoned ship, fire,  
21 fire get out, trying to alert the passengers below decks.  
22 .  
23 MF: I didn't hear that and theyre speakers, one like that points right at you ugh where I  
24 was trying to get that window open. Um, so I assume that if it was done I would  
25 have heard it but [UI]  
26  
27 JJ: Do you ever have any employee or crew meetings during the time period that you  
28 worked at Truth Aquatics?  
29  
30 MF: Yes, um once as far as I remember.  
31  
32 JJ: What was that all about?  
33  
34 MF: Um, [UI] single day kayak trips. It had everything to do um how the day with the  
35 kayaks is supposed to run, nothing you guys would be interested in [UI]  
36  
37 [UI conversation]  
38  
39 CZ: Um, how do you open the forward hatch, the anchor locker ... how do you get that  
40 hatch opened?  
41  
42 MF: [UI]

UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1  
2 CZ: Is it ever locked?  
3  
4 MF: No lock.  
5  
6 CZ: Um, how do you prevent water from getting in there from the deck [UI]?  
7  
8 MF: Ugh, the anchor locker?  
9  
10 CZ: Hmm.  
11  
12 MF: Um, we don't [UI]  
13  
14 CZ: So water can get in there if you had taken water over the bow?  
15  
16 MF: Yeah, but the um I don't know if we have that part of the boat but basically [UI]  
17  
18 CZ: I'm just wondering if there's some type of [UI]  
19  
20 MF: [UI]  
21  
22 CZ: Some key hand or wrench, or anything to open it?  
23  
24 MF: No, the truth has that but we don't have that. Ours is um, it's like ...it's at seat high,  
25 so if water comes [UI].  
26  
27 CZ: Okay, it raised up?  
28  
29 MF: Yeah.  
30  
31 CZ: Okay and there still, even if it's raised up there's no way to lock it down.  
32  
33 MF: Yeah  
34  
35 CZ: Interesting and I think we asked there's no tackle or hammers [UI] in case you have  
36 a problem with your anchor. Any additional shackles?  
37  
38 MF: No.  
39  
40 CZ: Anything with weight?  
41

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 MF: 51:47 Yeah we keep that um, we keep all that stuff, the shackles in the engine room. We  
2 keep the mallet in the what we call [UI]  
3  
4 CZ: JJ: Hmm  
5  
6 MF: [UI] ugh where the knives are. Um, yeah it's just ... I mean the only thing with  
7 weight would be that ugh that skip anchor which was, like when I looked in there  
8 you see it right away.  
9  
10 CZ: Hmm  
11  
12 MF: [UI]  
13  
14 CZ: Okay  
15  
16 MF: There's a float line um, like current line.  
17  
18 CZ: Alright and when you went back and open up the engine room ha and looked in  
19 there, you said you saw smoke could you see the deck plates [UI]?  
20  
21 MF: You mean like the [UI] in the engine room, no  
22  
23 CZ: Okay, um  
24  
25 MF: I can see the top of the generator and it was, like bumping but, you know I could  
26 see that it was on, the lights were on.  
27  
28 CZ: Okay,  
29  
30 MF: But I can see the bottom of the ladder or anything forward really. There's ugh like  
31 a tool station ugh in the center between the two starboards or between the two  
32 mains.  
33  
34 CZ: Hmm.  
35  
36 MF: Um, that you have to walk around to get to the front and I couldn't see that.  
37  
38 CZ: Okay and talking about the generators, you said that they were over heat if you're  
39 running too much equipment?  
40  
41 MF: We just have one generator on that boat.  
42

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 CZ: One generator. I was going to ask if you had two. Okay, one and only one?  
2  
3 MF: Yeah.  
4  
5 CZ: Alright, um have you witnessed any major modifications done on the boat since  
6 you been working there?  
7  
8 MF: Ugh, major  
9  
10 CZ: Any large machinery like you said, you had nitrox system  
11  
12 MF: Oh, no that's everything, everything was there when I started working. We didn't  
13 [UI]  
14  
15 CZ: Okay but there was more equipment on board then the ship can handle with the  
16 generator  
17  
18 MF: Um  
19  
20 CZ: Because it's over heated  
21  
22 MF: Well if you run everything at the same time.  
23  
24 CZ: Do you expect to be able to run everything at the same time on the ship?  
25  
26 MF: Ugh, not necessarily like a barbeque and a flat top that are all electric and the stoves  
27 are electric and no I wouldn't expect to be able to run all that stuff [UI] it would be  
28 nice but if your generator is too small then you need to jungle it.  
29  
30 CZ: So, if you build a ship or a boat do you think they build it to where the generator  
31 can't handle what is on the boat to run it?  
32  
33 MF: I never built a boat.  
34  
35 CZ: I mean would you expect that be reasonable that the generator should be able to  
36 handle the equipment that's on the boat?  
37  
38 MF: I think [UI] that people do what they need to do verses, you know [UI] it will be  
39 great to do all kind of stuff but  
40  
41 CZ: Okay.  
42

UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 MF: I mean in this case it was totally reasonable to have, to have ugh nitrox as a luxury  
2  
3 CZ: Hmm  
4  
5 MF: It's not something that needs [UI].  
6  
7 CZ: Hmm  
8  
9 MF: Um if that was interrupting our service and we would just passengers [UI] and run  
10 the entire operation the same.  
11  
12 CZ: Okay  
13  
14 MF: and cook and all that stuff, so  
15  
16 CZ: Lighting on the boat was there any new lighting up?  
17  
18 MF: Yeah  
19  
20 CZ: On the boat?  
21  
22 MF: Ugh, yeah the galley lights um, were recently installed by myself and Hunter at um,  
23 you know Jerry's direction. Um like it was one of the navy trips. It was three weeks  
24 or so, maybe a month before fire [UI] within the month I think.  
25  
26 CZ: So did you do it while on the way?  
27  
28 MF: Um, we were at anchor.  
29  
30 CZ: Okay.  
31  
32 MF: But yeah we were out.  
33  
34 CZ: So  
35  
36 MF: Navy trips are like um, have you guys [UI] do you understand what we do for those,  
37 um it's a self-defense test ship. Um, that test new, you know defense equipment  
38 and when there testing it nobody can be on board because their shooting missiles at  
39 it or whatever way off shore.  
40  
41 CZ: Yeah  
42

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 MF: Um, so we act just like a floating hotel for the crew. So doing the day we have no  
2 [UI] nothing to do except what the crew wants to do and which is mostly sleep and  
3 watch movies. So, um we just got some of those lights done at that point [UI]  
4

5 CZ: So you have made um maintenance or repairs on the boat before?  
6

7 MF: Yes.  
8

9 CZ: Okay and so with those lights changing the mounts did you run any new wires or  
10 any of that?  
11

12 MF: We didn't run any new wires just follow the instructions [UI] box or the instructions  
13 that came with the lights  
14

15 CZ: Okay.  
16

17 MF: and you know positive to positive ... negative to negative, ground to ground and  
18 then [UI].  
19

20 CZ: Have you ever done anything like that before?  
21

22 MF: Ugh, I've done electrical work and followed instructions  
23

24 CZ: Hmm.  
25

26 MF: and um, yeah  
27

28 CZ: Okay, um getting back to the second captain is no longer employed ... um what  
29 was his name again?  
30

31 MF: Brian  
32

33 CZ: Yeah, Brian... he um did you ever hear any arguments between him and captain  
34 Boylan?  
35

36 MF: I didn't hear ... I only worked with him twice maybe.  
37

38 CZ: Okay.  
39

40 MF: Um, I didn't hear them argue. I heard about arguments. I didn't hear any specifics  
41 but just like I said he already had quit and then Jerry said something [UI] he showed  
42 attitude and Jerry doesn't like attitude.

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1  
2 CZ: Okay, did anybody have any problems with you said that Jerry would um, ask you  
3 to align the sewage to go overboard and you knowingly knew that you were in  
4 violation of law. He was ordering you to break the law. Um do you, um anybody  
5 ever have any grievance about that with him or take it up or question him about  
6 that?

7  
8 MF: Um, I think that Hunter ... ugh Hunter talks about um Brian, like cause there's a  
9 lock on the valve.

10  
11 CZ: Hmm.

12  
13 MF: So it locks closed essentially when we get into the harbor. Um and Brian was  
14 insisting that anytime we were, I wasn't there but Hunter was relaying this  
15 information to me. At any time they would get close to the island that he would  
16 lock it up and then Hunter was only complaining because [UI] unlock it, like right  
17 after that. It was kind of annoying but um, yeah I think what he said was [UI] Brian  
18 if you'd like to that then you take care of it. That's fine. Um but I don't know what  
19 Jerry's stance on that whole situation was, I wasn't on those trips its just [UI]

20  
21 CZ: Okay.

22  
23 MF: [UI]

24  
25 CZ: Did you ever think that you might get fired if you didn't followed his orders?

26  
27 MF: Um, I mean yeah of course, like if you don't follow orders on the boat then you  
28 going to be fired.

29  
30 CZ: Even if he's telling you to break the law?

31  
32 MF: Ugh, I don't... I never um, it was my understanding and it seemed reasonable to  
33 me and I don't know much about boats but I know enough about boats. Um, or at  
34 least how they operate day to day scenarios. That is like an industry standard thing  
35 that everybody does as far as I know is, you know trying to be as respectful as we  
36 can and still like maintained reasonable schedule and um, you know for traveling  
37 two minutes to a dive sight. Ugh, or even, you know ten or fifteen minutes to a dive  
38 sight. He'll go far off shore within three miles, you know um but farther off shore  
39 and then we will crack the valve [UI] when we're away from everything. We won't  
40 just sit there and just try to pollute as brazenly as we can. But the three mile mark  
41 just seemed um like it would really throw a crazy wrench in the whole operation

**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 and as far as I know its uh its what, its how all boats operate um except for like  
2 maybe NOAA [UI] they probably have people looking at them a little closer  
3  
4 CZ: Um, you mentioned that um the captain would set an alarm on the bridge to wake  
5 everybody up  
6  
7 MF: Hmm  
8  
9 CZ: Um on the first day when you were steaming out to the dive location did the alarm  
10 wake you that day?  
11  
12 MF: Yeah  
13  
14 CZ: Was everybody asleep?  
15  
16 MF: Um, in the wheel house as far as I know. Oh, well no Jerry must have been driving  
17 [UI] Jerry woke us up.  
18  
19 CZ: Okay, so you work up and you were not at anchor, you were still  
20  
21 MF: Right  
22  
23 CZ: making [UI]  
24  
25 MF: Yeah, sorry.  
26  
27 JJ: Alright, that's all I have.  
28  
29 DH: Real quick, under the ... I say that all time  
30  
31 MF: [UI].  
32  
33 DH: under the stairs that goes off the back where that third bathroom is what kind of  
34 items were kept under those stairs?  
35  
36 MF: Um, it was just those buckets, there's a trash can. Um there's the toss ring um like  
37 the life ring  
38  
39 DH: Yeah.  
40  
41 MF: Um and there's a water bucket to like dip cameras in  
42 .



**UNCLASSIFIED**

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1 DH: Okay  
2  
3 MF: Um fresh water  
4  
5 DH: Okay, how about [UI] what kind of items are kept in that?  
6  
7 MF: Personal effects. It's reasonably dry place to put things. Um, so a jacket, or hat, or  
8 glasses, maybe cell phone.  
9  
10 DH: Okay.  
11  
12 MF: Usually there pretty empty by the night time  
13  
14 DH: By the night time  
15  
16 MF: It depends on what people leave behind.  
17  
18 DH: Okay, the C02 tanks locations [UI]  
19  
20 MF: In the engine room?  
21  
22 DH: Yep.  
23  
24 MF: Um, I don't know where the tanks were actually  
25  
26 DH: Have seen them in the engine room?  
27  
28 MF: I'm sure it's one of those things you look at every day and just never made an  
29 impression on me.  
30  
31 DH: Okay  
32  
33 MF: Um, but the things that were ... I was concerned about ugh I didn't have to do  
34 anything to them ever. I didn't touch them [UI].  
35  
36 DH: How about smoking on the vessel?  
37  
38 MF: It was allowed.  
39  
40 DH: Okay, besides Jerry, does Sims smoke?  
41  
42 MF: Not that I noticed or.

## UNCLASSIFIED

File Number: 45-LA-3161932

Disc Number: 1D377 – Part 3

1  
2 DH: Okay.  
3  
4 MF: So.  
5  
6 DH: As far as smoking does the captain give any directions on anybody that smokes on  
7 what to do when there done or where to put their cigarettes  
8  
9 MF: It's not part of any briefings or anything. I think [UI] ugh I would yell at people if  
10 I saw them flicking them flicking their cigarettes into the water or ashing it on our  
11 wood rail [UI] but other than that most people understood that to put it out right  
12 away.  
13  
14 DH: You never addressed it [UI]  
15  
16 MF: none [UI]  
17  
18 DH: Okay, the last night before you went to bed [UI] did you see any gas cans laying  
19 out at all  
20  
21 MF: No.  
22  
23 DH: No.  
24  
25 MF: No, gas.  
26  
27 DH: Okay, that's all I have.  
28  
29 JJ: Anybody else?  
30  
31 MW: Okay, thanks ugh very much. We can stop the tape at this point.  
32  
33 MF: Um [UI] you talking about the gas can outside [UI] there was question earlier about  
34 um, what equipment was on the side. Um the only thing and I just remembered I  
35 put this in the other [UI] report [UI]. Um, with somebody there was like probably I  
36 didn't see him store them but um somebody was using a re-breather system um and  
37 scuba ugh most people are breathing air [UI] tanks. Um but if you have a re-breather  
38 then, you basically have ugh a pure O2 bottle that um periodically spits in a little  
39 bit more oxygen into your system. So he was [UI] this one of the passengers was  
40 ugh working with O2 and I think he was storing that on the starboard side, so.  
41  
42 MW: With ah the rest of the gear on that [UI]

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Disc Number: 1D377 – Part 3

1  
2 MF: Yeah  
3  
4 UM: [UI]  
5  
6 MF: I think was in big black pelican case looking thing but I'm not sure he was doing  
7 his own thing. He was ugh in my opinion very experienced and had been out on  
8 this boat more time than I had [UI] um from what I understood he was, like one of  
9 the long time [UI] and really knew what he was doing. So I didn't bother him to  
10 much about his gear.  
11  
12 MW: Got it, okay. Thank you for having that on you. Okay, this concludes the interview  
13 and we can stop the tape.  
14  
15  
16 [End of transcription by Casandra Tucker-McFall]  
17

# **EXHIBIT D**

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Speaker 1 ([00:00:01](#)):

We're here at the residence of Mr. Brian Priddin. Today is the 26th of September 2019. Present are Special Agent Renado Herg and Special Agent Jaime Ray from Coast Guard Investigative Service. Brian, can we call you Brian, sir?

Brian Priddin ([00:00:14](#)):

Yep, that's fine.

Speaker 1 ([00:00:15](#)):

Awesome. We really appreciate you having us here, inviting us into your home. And we're happy to hear what you have to say, sir. I'll let Joe Johns introduce himself here.

Brian Priddin ([00:00:26](#)):

Okay.

Joe Johns ([00:00:26](#)):

Brian, hi, my name is Joe Johns. I'm chief of the Environmental and Community Safety Crime section for the US Attorney's Office for the Central District of California, which covers much of Southern California. So we have venue and jurisdiction for the investigation of the Conception fatal fire.

Brian Priddin ([00:00:47](#)):

Okay.

Speaker 1 ([00:00:48](#)):

Great. So we really appreciate, again, you having us here, Mr. Brian. And we'd really just love to hear from you just how you got involved with Truth, how that came to be. Maybe a little bit of your background being a Mariner, and how that brought you to Truth Aquatics.

Brian Priddin ([00:01:08](#)):

So my background as a Mariner, I grew up, my parents had small boats around here. And we lived in Minnesota, it's a lot of lake. So just got involved that way with small vessels. Then when I went to college, when I was in grad school in San Francisco, I looked around and said, "There's no way I'm ever going to buy a house here, paying so much in rent." So I thought, well, I'd always wanted to sail. Why don't I buy a sailboat, live on it, and then I can sail it? So that's what I ended up doing. I lived down there for a couple years on a 37 foot O'Day, and got involved that way.

([00:01:48](#)):

Then, had a number of positions. Had done IT for a long time, and then got involved with ministry. And ended up coaching track and field cross country at Foyer University in Rockland. It's William Jessup University. They didn't pay a lot... This is a long story. They didn't pay a lot, so I ended up teaching PE. So I got into teaching. And the last school I was at was in Yuba City, and I was athletic director and a bible teacher. I had gone to a graduation ceremony for one of my former students who was at a different high school, and he talked about YWAM, Youth With a Mission. And then he said he was going to go there for a couple weeks, and he would be on a sailboat. So I thought, well, I was going to be a principal at a new school, new Christian high school that they were going to open in Oroville. And so I thought, well, this

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summer I'll take two weeks, I'll go over to Kona. I was a triathlete. I thought, what a great way to see where the Ironman World Championships are. I'll help them out.

(00:02:54):

So I sent them some information. And then before I heard back from them, they decided they weren't going to open that high school. They just didn't think they had enough students to do it that year. So I'm like, well, now I don't have a job, because I had told the other school I'm not coming back. So then they came back and said, "Well, we don't need people for two weeks in Kona. But if you would like, we really need help in Australia on this vessel they're trying to restore." But it would be they'd want somebody for a couple months. So I was like, well I don't have a job, so I might as well go down and just do some missionary work. So I started getting involved with YWAM. It was a 282 gross ton vessel that they had been using to do medical missions, had sat for 18 months.

(00:03:38):

So I basically came on and was doing engineering work for them. And then, just got involved with them for the next... That was 2015. And then until 2017, I was basically in Papua New Guinea and Australia doing work with them. And then, went to Kona for a little while and helped teach a class on seamanship and navigation, and then help move some vessels. And I ended up moving a vessel to YWAM [inaudible 00:04:02] from Bethel Island here. So one of the things I saw with YWAM, was they had a need for Christian leadership on board. They had been getting bigger ships. And so I thought, "Well, I'll get a captain's license, and then see if I can't help them out that way." So I've been doing that. I got my captain's license in 2017.

Speaker 1 (00:04:24):

Your first captain's license?

Brian Priddin (00:04:26):

Yes.

Speaker 1 (00:04:26):

Coast Guard Credential Mariner in 2017?

Brian Priddin (00:04:33):

Yeah. And then, I spent some time then trying to get some sea time, trying to find a place locally where I could do that. So I worked with Red and White Fleet down in San Francisco for a little while. They thought they were going to get the Alcatraz contract, so they brought in some people. So I was going through and training, and I was doing engineering with them as well. And then, I wanted to really do full-time captaining. So then I took a job in Lake Tahoe running a boat up there. And then last winter, I went to Florida to Quality Maritime Training. They're in Jacksonville.

Speaker 1 (00:05:09):

Sorry, what was the name of it?

Brian Priddin (00:05:11):

It's QMT, I think.

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Speaker 1 ([00:05:13](#)):

Quality Maritime Training in Jacksonville?

Brian Priddin ([00:05:16](#)):

Yeah.

Speaker 1 ([00:05:17](#)):

What year was that?

Brian Priddin ([00:05:19](#)):

That was 2018. So October through December, I was there taking STCW classes for the OICNW less than 500 tons oceans basically, to complete that. So I was looking around, I helped move another vessel for YWAM March/April timeframe. And then one of the other captains on board, he was talking about there's a website in LA area called The Log. And sometimes they have classifieds, and they have job opportunities. So he said, "Well, check that out." And so, I did. And then I just happened to see Truth Aquatics on there looking for captains.

Speaker 1 ([00:06:06](#)):

The website is called The Log?

Brian Priddin ([00:06:07](#)):

The Log, yeah. So I just sent my information over to them. And then they called me, and I talked to the owner, Glen.

Speaker 1 ([00:06:18](#)):

What's Glen's last name?

Brian Priddin ([00:06:24](#)):

Fritzler. So we had a conversation, and he told me that they were looking for captains or second captains. And that he saw where maybe I could be on either... They were looking for a captain for the Truth. And they were looking for, I think, a second captain for the Conception. He thought maybe that would be good, because I didn't have dive boat experience. In college, I'd gotten my certification for open water one scuba. But I hadn't done a lot of diving since then. And so I thought, "Well, I could learn from Captain Jerry Boylan on the Conception." So they had me come down...

Speaker 1 ([00:07:03](#)):

I'm sorry, you first contacted them when through The Log?

Brian Priddin ([00:07:07](#)):

Yeah. So it would've been maybe early May, mid-May of this year.

Speaker 1 ([00:07:10](#)):

Okay, great. So you meet up with Jerry, right?

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Brian Priddin ([00:07:13](#)):

Yeah, my involvement with... So Glen suggested they had a couple trips, but he suggested I come down for this four-day trip that they were having, as a ride along and to see how it goes, see if I like it. And that was 26 May through 29 May 2019. So that was my first involvement. I went down to Santa Barbara. I was supposed to meet Glen for dinner the first night, but he wasn't able to make it, so I just meet Jerry on board. And that was beginning of my involvement with I see Truth Aquatics.

Speaker 1 ([00:07:50](#)):

I see. Great. No, I appreciate that.

Brian Priddin ([00:07:54](#)):

I know that was kind of the long way to get there.

Speaker 1 ([00:08:00](#)):

No, hey, all stories are like that. It's just how we recall things. And really, details are great. We certainly appreciate that. There is a small admin thing I forgot to mention earlier, and I certainly don't believe we'll have any issues with it. But the only thing that would get anyone sideways while speaking to us, is if there's any lies that occur from you to us. And that means anything from minimizing, but it could also mean embellishing. And if one were to do that, they could potentially be prosecuted. And that's just an admin thing that I got to throw in there. And I just want to be sure you're aware of that.

Brian Priddin ([00:08:31](#)):

Yeah, I understand.

Speaker 1 ([00:08:32](#)):

And I certainly don't think we'll have any problems. I really appreciate, again, you having us here.

Brian Priddin ([00:08:36](#)):

Sure.

Speaker 1 ([00:08:37](#)):

So if you could just tell us a little bit, Brian, about what did that look like, you getting hired through Jerry? Was there any testing? Was there any training required? Did you have to show him anything that you could do, you could perform? How did that work?

Brian Priddin ([00:08:59](#)):

No. I mean, there was none of that. I showed up, and I was there at dinnertime. And then Glen couldn't be there, so then I waited around until... I can't remember what time the vessel was leaving that night, let's say it was 10:00. So it would've been 9:30, Jerry shows up. I met him up by the wheelhouse. I went in the wheelhouse with him and had just a quick conversation with him.

Speaker 1 ([00:09:28](#)):

So you said them or him?



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Brian Priddin ([00:09:29](#)):

Him.

Speaker 1 ([00:09:30](#)):

Just Jerry?

Brian Priddin ([00:09:31](#)):

Just Jerry. Glen, I didn't see Glen that night. And he had said, "Go down and watch what the deck hands do." So I watched them throw the lines off. And then, I came back upstairs. One of my first questions always is, "Where's the fire pump, and what would I do?" Because I'm under the assumption at this point that I'm going to be possibly standing a watch that night driving this vessel to wherever we're going.

Speaker 1 ([00:09:59](#)):

What would lead you to that assumption?

Brian Priddin ([00:10:01](#)):

That's what my understanding, as a co-captain, that's what I would be doing. On every other vessel as a mate or a captain, you're probably taking a watch and helping to get the vessel to wherever you're going. So my impression was that would be... And every other vessel I've ever come on to be a captain or mate, they would want me to perform something in the wheelhouse to show that I actually knew what I was doing. So I started talking to Jerry. He said to that basically, it was something he never showed me, but he said it was in the wheelhouse you could turn on the fire pump.

Speaker 1 ([00:10:38](#)):

Sorry, could you explain that a little bit more?

Brian Priddin ([00:10:40](#)):

He just said there was a button or something he could turn the fire pump on from the wheelhouse.

Speaker 1 ([00:10:45](#)):

So you asked him, "How do I turn on the fire pump?"

Brian Priddin ([00:10:47](#)):

That's right.

Speaker 1 ([00:10:48](#)):

And he didn't take you, but he said, "There's a button in the wheelhouse?"

Brian Priddin ([00:10:53](#)):

Right. He had started driving out at this point, and he didn't... He's headed out, and just offhandedly said, "There's something over here, I can turn it on." And I don't know if he said he could talk about it later or whatever, but he said, "It'd be better if you just go downstairs, and I'll see you in the morning," at that point. So I'm like, okay, wasn't expecting that.

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Speaker 1 ([00:11:15](#)):

So you went to bed not knowing how to turn on the fire pump?

Brian Priddin ([00:11:18](#)):

That's right. So then those four days, basically I was filling tanks and helping people when they came back.

Speaker 1 ([00:11:29](#)):

Scuba tanks?

Brian Priddin ([00:11:30](#)):

Yes. And that was pretty much the extent. When I asked some other questions, he would basically respond, "Well, you're not under insurance yet, so you can't do that."

Speaker 1 ([00:11:43](#)):

Do what?

Brian Priddin ([00:11:45](#)):

Anything beyond that.

Speaker 1 ([00:11:46](#)):

Did you get any wheel time?

Brian Priddin ([00:11:47](#)):

No.

Speaker 1 ([00:11:47](#)):

No?

Brian Priddin ([00:11:47](#)):

No.

Speaker 1 ([00:11:49](#)):

So you just shadowed people?

Brian Priddin ([00:11:51](#)):

I shadowed the deck hands, watched pull up the anchor, and help fill the tanks.

Speaker 1 ([00:11:59](#)):

Did you spend much time in the wheelhouse with him going, "Here's this, here's that?"

Brian Priddin ([00:12:03](#)):

None.

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Speaker 1 ([00:12:03](#)):

"Here's the frequencies we use on the radio?"

Brian Priddin ([00:12:06](#)):

No, there was zero of that.

Speaker 1 ([00:12:08](#)):

So the whole time you were there...

Brian Priddin ([00:12:10](#)):

I've never been on a vessel where I didn't have an orientation with the captain or a mate to take me around and show me where things are.

Speaker 1 ([00:12:19](#)):

I see.

Brian Priddin ([00:12:20](#)):

At some time later, after I'd been hired, he did ask one of the deck hands maybe to show me where something was. But Jerry never personally took me someplace, like into the engine room and said, "Here is this, here is that."

Speaker 1 ([00:12:32](#)):

Gotcha. When he said, "Under insurance," what did he mean? With who or with what?

Brian Priddin ([00:12:37](#)):

He had said that since I hadn't taken a drug test yet for Truth Aquatics, I wasn't on Truth Aquatics' insurance policy. So if something went wrong, they wouldn't be covered because I wasn't officially a employee yet. I said, "Okay." I mean, it makes sense.

Speaker 1 ([00:12:58](#)):

I hear you. If you said he didn't give you any wheel time, did he ever give anyone else any wheel time? Did you notice anyone else driving, other than him or you?

Brian Priddin ([00:13:05](#)):

There was a second captain there, because I wasn't hired yet.

Speaker 1 ([00:13:08](#)):

You were still-

Brian Priddin ([00:13:10](#)):

I assumed he was driving during other times, but I didn't see it, no. On that trip in particular, no. I mean, I didn't see-

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Speaker 1 ([00:13:22](#)):

... this was still your tryout trip, right?

Brian Priddin ([00:13:24](#)):

... right.

Speaker 1 ([00:13:25](#)):

So you didn't notice anyone else driving, but it's frankly because you just weren't up on the bridge very often? Is that what I'm hearing?

Brian Priddin ([00:13:32](#)):

Well, that was my assumption, yeah.

Speaker 1 ([00:13:34](#)):

Okay, gotcha. So you would assume it was Jerry and/or the second captain?

Brian Priddin ([00:13:38](#)):

Right.

Speaker 1 ([00:13:38](#)):

And who was that at that time?

Brian Priddin ([00:13:42](#)):

His first name was Matt.

Speaker 1 ([00:13:44](#)):

Matt?

Brian Priddin ([00:13:44](#)):

And I know he had worked for, I think it's MSRC the cleanup company, previously had been fired. And he lived in that Santa Barbara area. That's all I know of him.

Speaker 1 ([00:13:55](#)):

He was fired from MSRC?

Brian Priddin ([00:13:56](#)):

Yes.

Speaker 1 ([00:13:57](#)):

Do you know why?

Brian Priddin ([00:13:59](#)):

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He said he was going through a hard time, and he just didn't know how to handle the grief. His sister died, and so he was taking it out on the crew and the other people around the dock. So they felt he wasn't a good reflection of their company anymore, kind of thing. I don't know.

Speaker 1 ([00:14:17](#)):

So MSRC terminated him?

Brian Priddin ([00:14:18](#)):

Right.

Speaker 1 ([00:14:18](#)):

Gotcha. When you were on there as a second captain, who did you notice drove, other than you and Jerry? Did you allow anyone else? Did Jerry allow anyone else?

Brian Priddin ([00:14:31](#)):

In total, I probably... Just so we have it, I was involved from 26 May to 9 June of this year. The only other person that I know of who drove just a little bit was Hunter, the deckhand. In the total I was on board, 10 days, I probably had an hour of wheel time tops.

Speaker 1 ([00:15:00](#)):

As second captain?

Brian Priddin ([00:15:01](#)):

As second captain.

Speaker 1 ([00:15:02](#)):

So who had more time other than you, Hunter?

Brian Priddin ([00:15:06](#)):

Jerry did it all, basically. We left at night and drove some place, Jerry drove all night.

Speaker 1 ([00:15:16](#)):

Where did you usually bunk?

Brian Priddin ([00:15:17](#)):

As second captain, I would be starboard side in the wheelhouse, just down below where the bench... Our two benches, I was on the starboard side and Hunter was on the port side.

Speaker 1 ([00:15:30](#)):

So did you notice that he would get up at night and relieve Jerry?

Brian Priddin ([00:15:33](#)):

No.

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Speaker 1 ([00:15:34](#)):

So Jerry would drive all day-

Brian Priddin ([00:15:36](#)):

All night, yeah.

Speaker 1 ([00:15:37](#)):

... and all night?

Brian Priddin ([00:15:38](#)):

Yeah.

Speaker 1 ([00:15:40](#)):

Wow. A very long time driving.

Brian Priddin ([00:15:44](#)):

That's right.

Speaker 1 ([00:15:47](#)):

So what can you tell us, Brian, also about going back to the training aspect. I know you know about Merchant Mariner credentialing. I know you've been to that training center you're talking about in Florida. I actually used to go to the Star Center in Hollywood, Florida. Back in the day, there was another maritime training center there. In any case, what was the expectation, or what was the company policy on training of crew, drills of crew?

Brian Priddin ([00:16:21](#)):

I don't know. I mean, no one talked to me about it. I was never asked to be part of a drill, nor did I ever observe any drills.

Speaker 1 ([00:16:30](#)):

Gotcha.

Brian Priddin ([00:16:31](#)):

The whole time I was on board.

Speaker 1 ([00:16:33](#)):

Did you ever review the deck log, flipped back in it?

Brian Priddin ([00:16:36](#)):

No. I mean, I had minimal time in the wheelhouse. I thought maybe because I don't know dive boats, that this is their way of making me learn these basic things about the dive boat, like operations of the dive site. I mean, running the ship, running a vessel.

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Speaker 1 ([00:16:56](#)):

What was your impression of... I guess I'm hearing something here, let me know if I'm right. Were they training you to be a helper to the divers to ensure their customer experience, or were they shaping you up to act for what they were hiring you for as a second captain? I don't want to misread what you're saying.

Brian Priddin ([00:17:20](#)):

What I had discussed with Glen was the latter, that I'm going to be a second captain, that I'm sharing the load in the wheelhouse. What in reality was happening, was I was only doing deckhand stuff. And in the last trip, I was talking to the deck hands and they said, "Well, the second captain on board the Conception is always just a glorified deckhand. That's all they are."

Speaker 1 ([00:17:46](#)):

What do you think they meant by that?

Brian Priddin ([00:17:49](#)):

You're not going to see any wheel time. They said, "Jerry likes to drive. That's what he likes to do. He likes to run the wheelhouse. So you're never going to really get a chance to do that."

Speaker 1 ([00:17:58](#)):

Gotcha.

Brian Priddin ([00:18:00](#)):

I mean, I had already decided I was going to leave before the last trip.

Speaker 1 ([00:18:04](#)):

I see.

Brian Priddin ([00:18:05](#)):

But I had tried to get a hold of... So Glen had actually talked to me, I can't remember if he sent me a text or if it was a phone conversation, before I came on the first trip as an employee. And said, "Jerry can be really rough to work with, so call me-"

Speaker 1 ([00:18:22](#)):

Glen said that?

Brian Priddin ([00:18:22](#)):

... yeah. "Call me if things come up first." So I was like, "Okay." That was kind of weird.

Speaker 1 ([00:18:31](#)):

Do you think he meant while underway, call Glen if you had a problem with Jerry underway?

Brian Priddin ([00:18:37](#)):

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I wasn't sure on that. I would have took it, "When you come back, if you wanted to talk about what had happened or something." I didn't think he meant underway.

Speaker 1 ([00:18:47](#)):

Brian, would it be possible later, if it's all right with you, to look at those text messages between you and Glen? Or is there any emails you exchanged with him, would you let us look at them?

Brian Priddin ([00:18:56](#)):

I would. I don't know that I had them still on my phone. I think I deleted Jerry and Glen's conversations from my phone. But if I can get the history, I'm willing to share that with you, yeah.

Speaker 1 ([00:19:07](#)):

Thank you. What did you mean by Jerry was difficult to work with, per Glen? I guess, would you agree with that? What does that mean?

Brian Priddin ([00:19:18](#)):

I mean, I would agree with that. I mean, I've seen some, "I'm authoritative. I'm the captain. Do whatever I say. There's no team. It's me versus the crew." That was Jerry.

Speaker 1 ([00:19:32](#)):

And that was your impression of him?

Brian Priddin ([00:19:38](#)):

Yeah. Like I said, I'd never been on a dive boat, so I'm learning how to do the tanks and everything. So he's telling me to do it one way. Then he comes back maybe the next day, and asks me why I'm doing it that way. And I'm like, "Well, you're the one who... You said to do it this way." And then he'd go off on me in front of everybody in the crew and all the divers, because now he wants me to do it a different way.

Speaker 1 ([00:20:00](#)):

Tell me about going off. What does that mean?

Brian Priddin ([00:20:02](#)):

He's just yelling.

Speaker 1 ([00:20:03](#)):

In front of the passengers and at you?

Brian Priddin ([00:20:05](#)):

Yeah. Basically, "What are you doing? Why are you doing it?" Making a big scene. And I'm like, "I don't know how. I've never done this."

Speaker 1 ([00:20:15](#)):

Glorified deckhand, right?



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Brian Priddin ([00:20:17](#)):

Right. And the deckhands would just say, "Look, that's just how Jerry is. You've just got to be like a duck, let it roll off your back."

Speaker 1 ([00:20:23](#)):

Oh, wow. Did Jerry smoke?

Brian Priddin ([00:20:26](#)):

Yeah, he was a chain smoker.

Speaker 1 ([00:20:27](#)):

Did he drink?

Brian Priddin ([00:20:29](#)):

I didn't see him drink on board. I don't know what he did off. I didn't have those kinds of discussions with him. I didn't have a lot of discussions with him.

Speaker 1 ([00:20:37](#)):

How often would the crew drink with the passengers?

Brian Priddin ([00:20:40](#)):

I didn't see it.

Speaker 1 ([00:20:41](#)):

Did you ever hear anything about it?

Brian Priddin ([00:20:44](#)):

I hadn't heard anything either.

Speaker 1 ([00:20:46](#)):

Gotcha. How many of the crew that you worked with smoked while you were there? Are you a smoker, Brian?

Brian Priddin ([00:20:52](#)):

No, I'm not.

Speaker 1 ([00:20:53](#)):

So Jerry, obviously?

Brian Priddin ([00:20:54](#)):

Jerry, Hunter, I think Milton did too. And Mikey, I believe, smoked. And then the cook was Kelly, Mikey's daughter. I didn't see her smoke, so I can't say one way or the other.

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Speaker 1 ([00:21:11](#)):

Gotcha. Was it common for the passengers to smoke? I take it a lot of people would probably be having a cigarette after a dive or something.

Brian Priddin ([00:21:19](#)):

I think it was the last trip we were on, one of the other passengers was a non-smoker, and said, "So many people are smoking, can we make some sort of rule?" So I went to Jerry with that and he was like, "Ah, whatever." Because it was so much smoking going on, that the one passenger who didn't smoke, or the few who didn't, felt like they had no place to escape. So they were trying to get us to maybe [inaudible 00:21:46].

Speaker 1 ([00:21:50](#)):

To leeward, or windward. So was there any sort of, "Hey, if you're going to smoke, here's the process for smoking. Here's where you can smoke, here's what you do with your butt?"

Brian Priddin ([00:21:59](#)):

No, there was no mention when I was on board of any rules governing smoking on board.

Speaker 1 ([00:22:06](#)):

Did you know if people would smoke at night?

Brian Priddin ([00:22:08](#)):

I don't.

Speaker 1 ([00:22:10](#)):

Gotcha. I guess, is there anything else you can tell us-

Brian Priddin ([00:22:14](#)):

I'm sorry. Jerry, I know would get up at night and smoke because I would smell it. But other than that... And I would sometimes look out and see him smoking.

Speaker 1 ([00:22:26](#)):

... where at?

Brian Priddin ([00:22:27](#)):

Up on the bridge.

Speaker 1 ([00:22:28](#)):

On the bridge wings?

Brian Priddin ([00:22:29](#)):

The bridge wings, yeah.

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Speaker 1 ([00:22:31](#)):

Sorry, and you guys shared a bunk, or no? You were in a separate bunk and he had his own?

Brian Priddin ([00:22:35](#)):

Yeah. So he had a room that would basically be right behind me. So there was a wall, and he had a room where I had just a bunk that was maybe two-thirds of this table, that long. Just used to lay in.

Speaker 1 ([00:22:51](#)):

I guess, is there anything else you can tell us about the company that Glen or anyone else had you understand, as far as training drills, when we're going to do them, what to do in the event of a man overboard, what to do in the event of a fire? Do you have anything you can tell us?

Brian Priddin ([00:23:11](#)):

No, there was nothing. I mean, there was no orientation. Even a new employee orientation, like "Here's how you get paid. Here's how to fill out time cards," anything like that.

Speaker 1 ([00:23:23](#)):

Did you ask if there was a policy, a book, a guide, a anything that the company could offer you for anything you needed on guidance policies and procedures?

Brian Priddin ([00:23:35](#)):

I didn't. I don't think I ever specifically asked for that, no. I mean, I did go to them and say, "I'm new." Because I'm like, "How do I get paid? How do we do these things?" And Inga was the office person. She did show me how to clock my time, and you had to download an app. But I had to go to them. I mean, I wasn't there that long.

Speaker 1 ([00:23:58](#)):

No, I understand that. And I know you're only telling us from your experience. I know that wasn't very long, but it's certainly very valuable to us. What was that app called that you did your time on?

Brian Priddin ([00:24:09](#)):

I'd have to get my phone.

Speaker 1 ([00:24:11](#)):

That's okay, we can look at it a little later. Brian, what can you tell us about the COI? What is that?

Brian Priddin ([00:24:23](#)):

The certificate of inspection. I mean, I know it was in the wheelhouse, but I never... I mean, I briefly looked at it, but I never studied it.

Speaker 1 ([00:24:33](#)):

How'd you know it was there?

Brian Priddin ([00:24:35](#)):

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I saw it. It was behind a plexiglass.

Speaker 1 ([00:24:37](#)):

Nobody showed you?

Brian Priddin ([00:24:38](#)):

No one showed me.

Speaker 1 ([00:24:40](#)):

Did you ever read it?

Brian Priddin ([00:24:41](#)):

I didn't read it all the way to the bottom. I've heard...

Speaker 1 ([00:24:45](#)):

What have you heard?

Brian Priddin ([00:24:46](#)):

Well, I heard it specifically said that there had to be a roving nightwatchman on there.

Speaker 1 ([00:24:53](#)):

When you say you heard, when is that, that you heard that?

Brian Priddin ([00:24:56](#)):

Through the media after the accident.

Speaker 1 ([00:24:58](#)):

I see. Did anyone ever show you that as an orientation?

Brian Priddin ([00:25:01](#)):

No.

Speaker 1 ([00:25:01](#)):

Did they have you sign anything saying you understand the COI or anything?

Brian Priddin ([00:25:06](#)):

I don't believe so. Maybe it was part of the package of paperwork that I had to sign, but I don't remember. No one went through the COI with me and showed me any of it. I mean, I looked at it. Mainly, I looked for the manning and stuff like that, but I didn't look through all the...

Speaker 1 ([00:25:25](#)):

So if you could just really, in one or two sentences, what is the purpose of a COI? What's that about for the ship or for people on it?

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Brian Priddin ([00:25:35](#)):

It's basically stating under what conditions that the vessel can operate. So it has the manpower, the location, those kind of things, Coast Guard has said you're okay to do this. And then it gives any exceptions to, or gives specifics basically, on that.

Speaker 1 ([00:25:54](#)):

So what was Glen's role in hiring you? What did that look like?

Brian Priddin ([00:26:01](#)):

We had the phone conversation. I went out for the trip. I came back. He showed up that day when we came back in, just said, "Okay, we want to hire you." And I said, "Okay." And then, I had to come right up here because my sister was getting married the next day. So we didn't have really much of a conversation at that point. But that was it. We had a phone conversation, then he came on board and said, "If you want the job, it's yours," kind of thing.

Speaker 1 ([00:26:34](#)):

So just so I'm tracking, you contact him via internet, you have a phone call with him?

Brian Priddin ([00:26:39](#)):

Yes.

Speaker 1 ([00:26:40](#)):

You set up a dinner. He doesn't come to the dinner. You meet Jerry, and then you see Glen a few days later and he says, "We want to hire you?" Did I miss anything in there?

Brian Priddin ([00:26:52](#)):

No, that was it. I mean, I sent him my resume as part of that internet part.

Speaker 1 ([00:26:58](#)):

Did Jerry say, "Hey, I'm going to tell Glen you're good to go?" Or how did you know you were hired, was it Jerry, was it Glen?

Brian Priddin ([00:27:07](#)):

It was Glen. So Jerry was still there, because we had just come back from the trip. And I don't know if they really even... I don't know if they talked or how that went down. I know the second captain, Matt, he said he went to Jerry and said, "You should hire this guy because he can do the job." But I don't know what happened between Jerry and Glen. But Glen was the one who came on board, shook my hand and said, "Yeah, we want to hire you."

Speaker 1 ([00:27:35](#)):

Oh, cool. How often did you see, in your few trips there, what was Glen's involvement down on the boats? Was he captaining at all? Did he just get done captaining before you got there? What was his involvement physically on the boat? Did you ever make any trips with him?

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Brian Priddin ([00:28:01](#)):

He was training the captain, the guy they hired to take over the Truth.

Speaker 1 ([00:28:06](#)):

Which was?

Brian Priddin ([00:28:07](#)):

I don't know, I never met him.

Speaker 1 ([00:28:09](#)):

Okay, that's fine.

Brian Priddin ([00:28:11](#)):

And we did do a one trip. The first trip was a one-day scuba trip to San Miguel Island. So Glen came along shadowing, I guess, this new captain. We weren't on the same vessel. He was on the Truth, we were on Conception. But we were near each other, because the two parties had split between the two boats. I think it was one giant group who had rented basically the two boats. So we were near each other. But, I mean, I didn't have any direct involvement with Glen at that point.

Speaker 1 ([00:28:43](#)):

But you knew Glen was underway on the Truth?

Brian Priddin ([00:28:45](#)):

Yes.

Speaker 1 ([00:28:45](#)):

Observing...

Brian Priddin ([00:28:46](#)):

The other captain and what was going on.

Speaker 1 ([00:28:48](#)):

So how many captains were on board the Truth, to your knowledge, during that trip?

Brian Priddin ([00:28:53](#)):

I just know the one new captain and Glen. I don't know who else was on board.

Speaker 1 ([00:28:58](#)):

So in all likelihood, what I think I'm hearing is the two licensed Mariners on board were Glen and this new hire potential guy?

Brian Priddin ([00:29:09](#)):

Yeah, it was a new hire. I don't know if there was a second captain or not.

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Speaker 1 ([00:29:13](#)):

What month was that?

Brian Priddin ([00:29:13](#)):

It was June.

Speaker 1 ([00:29:15](#)):

Of this year?

Brian Priddin ([00:29:19](#)):

It was June 1st. And it was the one-day dive to San Miguel. And then, I [inaudible 00:29:23]. He was on, I believe, it was a two day. For us, it was two days. It was 5 June and 6 June. And that was not a dive trip, it was the test ship. So we rendezvoused with the test ship 1:00, 2:00 in the morning on the, I guess it would've been early the 6th then.

Speaker 1 ([00:29:44](#)):

Sorry, you said test?

Brian Priddin ([00:29:46](#)):

The Navy test ship.

Speaker 1 ([00:29:47](#)):

Navy test ship. Is that the name of the vessel, or it's...

Brian Priddin ([00:29:53](#)):

I mean, I'm not sure if that's the official name. It was a decommissioned destroyer that they used to test the self-defense capabilities. That's all I know offhand.

Speaker 1 ([00:30:00](#)):

Where's it out of?

Brian Priddin ([00:30:01](#)):

San Diego, I believe.

Speaker 1 ([00:30:02](#)):

Oh, wow. Okay. So-

PART 1 OF 4 ENDS [00:30:04]

Speaker 1 ([00:30:02](#)):

Where's it out of?

Brian Priddin ([00:30:02](#)):

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San Diego I believe.

Speaker 1 ([00:30:02](#)):

Okay.

Brian Priddin ([00:30:03](#)):

So they meet up, most of the crew disembarks and comes on board the Conception, and then like a three man crew takes it out and then they get choppered off. I understand, was they shoot missiles at it and the self defense of the ship is getting tested.

Speaker 1 ([00:30:24](#)):

The truth boats were acting as a little bit of a ferry, just kind of making sure people got out to that ship and took them on board.

Brian Priddin ([00:30:32](#)):

The Destroyer would come up and we would come near them and then they had their own RIV and they would ferry the people across. We took on board maybe 20 and Truth took on somewhere in that neighborhood and that just gave them a place to rest and sleep. They were there that one night and through most of the next day and then the ship came back and we brought them back at eight o'clock or something.

Speaker 1 ([00:30:59](#)):

Wow, interesting. Very cool. Did you know if Glen was a credentialed mariner?

Brian Priddin ([00:31:09](#)):

I mean I think I read something on the website, but I mean I don't know what his status is for sure.

Speaker 1 ([00:31:16](#)):

You think on the Truth website it said he was a captain or a licensed mariner?

Brian Priddin ([00:31:20](#)):

I thought so, yeah.

Speaker 1 ([00:31:21](#)):

Gotcha. Appreciate that. Let's see. Let me make sure we're tracking here. What do you think, Renaldo, you got any follow-ups for now?

Renaldo ([00:31:38](#)):

I do have a couple of questions and sometimes we go back and sometimes I'm going to ask you to repeat yourself. I'm sometimes going to ask you about the details. Just taking there with that story. I wasn't there and you are my eyes [inaudible 00:31:56], so sorry if I sometimes going to drag you back to same question. I would like to know when somebody hires me, they ask me to present resume, my certificates, everything that I have that I'm qualified for, something. When you contacted company, were you asked for all those things? Did they ask you for your license?



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Brian Priddin ([00:32:21](#)):

Up front, I sent through the resume, we had the conversation and then I did the four days when we came back and then officially hired. When I came back, I did give them my credential and they made copies of it then. I think I gave it to Jerry for that first four day trip because I had it with me so he could look at it and then I did the drug test before I started.

Renaldo ([00:32:52](#)):

And that first day was on 26th of May, right?

Brian Priddin ([00:32:55](#)):

Well that was non-paid, that was the ride along.

Renaldo ([00:32:57](#)):

Ride along and Glenn haven't seen your documents yet. He just sent you for a ride along, say okay, go with them, see how you're going to like it and let me know if you're going to be good to go.

Brian Priddin ([00:33:09](#)):

That's my recollection. I don't remember showing him.

Renaldo ([00:33:12](#)):

Roger that.

Brian Priddin ([00:33:14](#)):

It's a huge file, my photo copy just over 20 MB, I couldn't have sent it to him and we didn't meet so he couldn't have seen it, but I did give it to Jerry that first trip.

Renaldo ([00:33:24](#)):

Roger that, and that first trip started on 26th and this was kind of orientation for you in the way, but I won't say orientation. This is in a way for you to see if you are going to like the environment that you're going to work in.

Brian Priddin ([00:33:40](#)):

Yeah, I thought it was kind of like, if my personality fits enough with the boat and if we like each other kind of thing. They move forward.

Renaldo ([00:33:47](#)):

Roger that, and this was one day trip, right?

Brian Priddin ([00:33:49](#)):

No, that was a four day trip.

Renaldo ([00:33:51](#)):

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Four day trip. If you don't mind, take me to this four days as a licensed captain, from the first moment you step on that ship and this was Conception, your observation on all the procedures, all the movements of the crew, the captain and the guests. What were you surprised about? What was your expectation as a captain? What kind of procedures should be done? Did somebody go with the guests or the crew around and say, "Hey, this is the exit. If fire happens, this is going to happen." Your observation, what happened and what was your expectation as well? I would like to hear those things.

Brian Priddin ([00:34:40](#)):

I went eight, maybe seven o'clock, probably was on the ship by eight, kind of surprised because there's nobody around. Inside the mess area where those double doors were, there was a clipboard and it had people's names and it had a list of where your bunk would be and a diagram of it and you were supposed to sign in and then do your stuff and you could go down to your bunk.

([00:35:10](#)):

I was really surprised that there wouldn't be a crew member or somebody around to welcome people aboard and make sure all that went well. I just hung out until the crews finally showed up and it was like 30 minutes before we were set to take off. I did try, I think I walked around a little bit, but since I wasn't officially on the crew, I didn't want to just start poking everywhere, do things because they don't know me. I'm like, all right, I'll wait for Jerry to get here because Glen told me, "oh, Jerry's going to expect you" and this and that. Okay, I'm waiting for him.

([00:35:54](#)):

I was a little surprised that a trip like this, that the crew would just show up at such a late hour to go. They showed up, he told me, "okay, watch what the deck hands do." So I'm observing what they're doing and there's no safety. Most of the people were told, just to go downstairs, go to sleep, so there's no safety briefing, they throw the lines. Even the boat in Tahoe, we give a safety briefing before anybody got put on board. I made sure we're going to discuss this before anybody gets on board. I was kind of like, this is weird and I mentioned it to them and I was like, well, this is kind of how we do things. I was like, all right, that's really weird, but all right.

Renaldo ([00:36:41](#)):

If you don't mind, I'm going to stop you for a second. So crew is on the board now? Deck hands and Captain is on board, and now people are embarking, guests right? Passengers?

Brian Priddin ([00:36:51](#)):

Well, no, the passengers are all there. They've already gone and put their stuff away. I'd say 90% are already downstairs asleep.

Renaldo ([00:37:01](#)):

Okay. So how did they know where to go? Did anybody show them?

Brian Priddin ([00:37:04](#)):

No, no one would've showed them at that point.

Renaldo ([00:37:07](#)):

They just enter the boat and they found their way where to go type thing?

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Brian Priddin ([00:37:12](#)):

Yes.

Renaldo ([00:37:13](#)):

Nobody's guiding them.

Brian Priddin ([00:37:15](#)):

There is nobody there to guide them. They're on their own.

Speaker 1 ([00:37:18](#)):

Even on the subsequent trips that you made, that was all similar kind of protocol. They would all just-

Brian Priddin ([00:37:24](#)):

That's right, yeah.

Speaker 1 ([00:37:24](#)):

Okay.

Renaldo ([00:37:26](#)):

Now you're fixing to leave, they're pulling the lines, off you go and the guests or passengers, they're already in their bunk beds?

Brian Priddin ([00:37:36](#)):

Yes.

Renaldo ([00:37:37](#)):

Below deck?

Brian Priddin ([00:37:38](#)):

Yes.

Renaldo ([00:37:38](#)):

They find their way down there, and what's the next crew does or the captain does?

Brian Priddin ([00:37:47](#)):

Deck hands have thrown lines, they were free to do whatever they wanted. That first trip I go back up into the wheelhouse and we're leaving the harbor. I just start talking to Jerry and that's when I asked about the fire pump. When I went to Red and White, they gave me a full orientation beforehand and take you through the engine room and that's a big deal. They show you where the fire pump is, here's how to turn it on, here's the lines. Every other vessel has been like that.

Speaker 1 ([00:38:20](#)):

Sorry, what's Red and White?

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Brian Priddin ([00:38:21](#)):

It's the Red and White fleet in San Francisco. They do Bay tours basically. That's in my mind, so I asked him about it and I was like, here's my credentials, I'm here to help. Whatever you want me to do. I don't know what you want. Have your expect. I'm just kind of asking him some questions about where we're going, how long it's going to take. And then he was like, well, and I said, do I have, do you want me to do a watch tonight? I can help out, whatever you want me to do. He just said, it'll be best if you just go downstairs, go to your bunk and they'll see you at six o'clock in the morning. I'm like, okay, well I'm not officially part of the crew. All right, I'll go.

Speaker 1 ([00:39:06](#)):

So when you were breaking in, you slept with the passengers?

Brian Priddin ([00:39:09](#)):

That's right.

Speaker 1 ([00:39:10](#)):

And was that a specific bunk?

Brian Priddin ([00:39:11](#)):

Yes.

Speaker 1 ([00:39:12](#)):

Where was that?

Brian Priddin ([00:39:13](#)):

It was 14 M, I believe and it was right, basically at the bottom of the stairs. It would be on the starboard side. So it went towards, on the starboard side, it was in the middle, and then it was the middle bunk.

Speaker 1 ([00:39:29](#)):

Gotcha.

Renaldo ([00:39:30](#)):

Did you have it or other crew members from the ship, the deck hands. Did you have any specific uniform that would identify you as crew? Anything written on the back? They just had their own clothes.

Brian Priddin ([00:39:41](#)):

Just your own clothes. I was asked to go to a meeting, and I'm not sure, it might have been June 1st. There was an adventure company that kind of partnered or uses Truth Aquatics to do kayaks. They do the Painted Cave tour on Kayak and so they used Truth Aquatics to get them there. They had a meeting between those two companies, I guess because there had been some friction and one of their big things was, there's no uniform for Truth Aquatics and nobody knows who you guys are, what you're doing. They said, oh, we have t-shirts, but I had never been given one up to that point. When we came back before the next trip, I had talked to Inga in the office and they tried to find one for me, but all they had was like three XL or something. So yeah, I'm like that's not going to fit.

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Speaker 1 ([00:40:36](#)):

Did anyone ever wear a uniform?

Brian Priddin ([00:40:39](#)):

I was told, oh, they like you to wear the t-shirt the first day or first morning when we do, they finally do an orientation.

Renaldo ([00:40:51](#)):

Now he told you to go downstairs, you went to your bunk. Did anybody ask you any questions, like those other passengers. Were they asking for directions or did they have any questions for you as a crew member, do you remember?

Brian Priddin ([00:41:05](#)):

So not at that point. When I first had come on, there was a couple people I introduced myself and maybe they asked a few questions. I didn't really have a lot of information to give them because I was as new to the boat as they were at that point.

Renaldo ([00:41:22](#)):

Did they ask you questions about the boat or the diving trip?

Brian Priddin ([00:41:28](#)):

I don't recall.

Renaldo ([00:41:28](#)):

You don't recall?

Brian Priddin ([00:41:28](#)):

I don't, no.

Renaldo ([00:41:31](#)):

Okay, and what about other crew at that point? Were they in their bunks, going to sleep or eat or what were they doing?

Brian Priddin ([00:41:44](#)):

I mean I know they could, and the thing you were told was, well when you can get sleep, get it, when you can get rest, get it. So that was kind of encouraged for them just to go to bed, not to stay up and do anything like that first. Now I try to get sleep because you're going to be busy the rest of the trip. I don't know what anybody individually did at that point. I went down to the passenger area and I went to my bunk and went to bed.

Renaldo ([00:42:11](#)):

And where were they sleeping or where were their bunks on the same deck?

Brian Priddin ([00:42:20](#)):

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No so the crew, there was one crew member who was also in the passenger area and when I was there, that was Milton. It was when you came down the stairs, it was kind of like around the, no he was, came down the stairs it was straight ahead and he was in the top bunk or the middle bunk, I can't remember which one but it was right close to the stairs. When I was on board, Kelly and Mikey shared a room up in the wheelhouse. Jerry was on the port side, it was like bunk beds. Then Jerry had his own room and bed on the starboard side. Hunter had the bunk that was kind of underneath a settee couch kind of thing, and then the second captain would have the one that was on the Starwood side in the wheelhouse.

Renaldo ([00:43:12](#)):

So most of the crew, but two of you were in the wheelhouse.

Brian Priddin ([00:43:16](#)):

So normally all the crew, but one would've been in the wheelhouse.

Renaldo ([00:43:19](#)):

In the wheelhouse, roger that. Just because you were there extra.

Brian Priddin ([00:43:22](#)):

Just because I was doing the ride along, I happened to be down there as well.

Renaldo ([00:43:25](#)):

Down there, roger that. Do you remember around what time did you go to sleep?

Brian Priddin ([00:43:34](#)):

I don't remember. I mean, it would've been about 30 to 60 minutes after we left. I don't remember what time we actually departed, but yeah.

Renaldo ([00:43:46](#)):

That's nighttime already, right?

Brian Priddin ([00:43:47](#)):

It was, yeah. It would've been late, like 10 o'clock at night or early morning? Like two o'clock or four o'clock. I think this particular trip, it was like 8:00 PM maybe when they were leaving, but I'd have to look at it to be certain.

Renaldo ([00:44:05](#)):

This day, please correct me if I'm wrong, this is my understanding what I'm hearing. So you come on board, you're only one on board at the time that you were told to come on board, that was around 7:00 PM. My understanding was you set foot on conception that was docked. Nobody's there. Crew is not there. Captain's not there. You're alone.

Brian Priddin ([00:44:27](#)):

That's right, yeah.

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Renaldo ([00:44:28](#)):

You said that it was unusual that crew arrived probably about five minutes before set departure time, something like that.

Brian Priddin ([00:44:38](#)):

I think they were told to come 30 minutes beforehand and I think at one point before one of the trips, Jerry had texted me and said, be there. And what he had asked would be like an hour before departure for me. I would always be there at least two hours before. I was driving from here some of the times and then it's a seven hour, seven and a half hour drive. I always give myself some extra time because I didn't want to get caught. I get caught in traffic or see anything, but I would always want to be there with enough time to make sure everything was squared away before we got going.

Renaldo ([00:45:16](#)):

At least half an hour they started coming?

Brian Priddin ([00:45:19](#)):

Yes, they should have been there half an hour beforehand.

Renaldo ([00:45:22](#)):

At that time, were they half an hour before or not really?

Brian Priddin ([00:45:26](#)):

I don't remember.

Renaldo ([00:45:29](#)):

No problem. What about passengers? When did they start arriving?

Brian Priddin ([00:45:33](#)):

I think it was something like six or eight hours before the trip. They could come on board and put their stuff away.

Renaldo ([00:45:41](#)):

Okay, so they already had their stuff on board, most of them, right?

Brian Priddin ([00:45:45](#)):

Yes.

Renaldo ([00:45:46](#)):

Oh, okay. So they were already there set to go either way, passengers right?

Brian Priddin ([00:45:51](#)):

The passengers would typically be there hours beforehand, get their stuff all stowed and then they may walk around and get food around the harbor.

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Speaker 1 ([00:46:00](#)):

How did they know that? The six to eight hours ahead of time.

Brian Priddin ([00:46:03](#)):

I assume that was communicated by the office. I'd heard that the office had sent with whoever had chartered it, like Inga or somebody would contact them and that would be part of that and then they would disperse that information. That's my understanding.

Renaldo ([00:46:20](#)):

Was there a dedicated person who would receive those passengers on board if the crew wasn't there at that time?

Brian Priddin ([00:46:31](#)):

No. They had the scuba shop, the Sea Landing scuba shop was quasi connected with Truth Aquatics somehow. They were told to go there because a lot of them would rent tanks and so they would get their tanks and then they would help them get on board. There was a scuba instructor and he was on board one time when I was on board, that one day trip, he was training people. He knew the boat and he would typically be there, but it wasn't boat crew who was bringing people on board. It would've been the scuba shop.

Renaldo ([00:47:10](#)):

Somebody from the shop and they would take them down below deck, say okay, find your place?

Brian Priddin ([00:47:14](#)):

Not that I know of, no.

Renaldo ([00:47:14](#)):

Okay, you don't know about it.

Brian Priddin ([00:47:19](#)):

No, Glen told me to just sign the clipboard, look for your name, look for your bunk, and then that's where you go.

Renaldo ([00:47:23](#)):

So clipboard had kind of map of the place and bunks with the name of the passengers as well as the crew for example, you?

Brian Priddin ([00:47:32](#)):

Yes.

Renaldo ([00:47:34](#)):

Okay. So whoever comes there, they check that clipboard, they would find their name, associates to some kind of bunk down there, number and they would just go down there without any crew member guiding them.



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Brian Priddin ([00:47:45](#)):

That's right, yeah.

Renaldo ([00:47:47](#)):

So somebody from the shop brings them to the boat?

Brian Priddin ([00:47:51](#)):

Not necessarily.

Renaldo ([00:47:51](#)):

Not necessarily. Or maybe just point direction where it is?

Brian Priddin ([00:47:56](#)):

Yeah, they've been there before, they see the name of the boat, just go to the boat.

Renaldo ([00:47:59](#)):

Nobody's at the boat say, Hey, hi, my name is so and so, I'm the deck hand, let me show you around.

Brian Priddin ([00:48:05](#)):

No.

Renaldo ([00:48:07](#)):

So they're kind of, and this is my understanding, I don't want to put words in your mouth. My understanding is looks like they're on their own, they just show at the boat, they see the clipboard and they find the place. Is that?

Brian Priddin ([00:48:18](#)):

That was my feeling about it, yes. Yeah. And that was my observation. I got on and I mean, that's how I felt. I came on board. Jerry was supposedly expecting me, there's no Jerry, there's no deck hands, there's a couple passengers. I'm on my own to figure out where's my bunk. No one tells me where the escape routes are, no one shows me where any fire equipment is. I'm on my own to figure all that out.

Renaldo ([00:48:47](#)):

My expectation would be, okay, I'm on the board, somebody's going to show me something around, they're going to say, "Hey, in case of emergency, we do this, we do this." So nothing like this happened?

Brian Priddin ([00:48:57](#)):

No.

Renaldo ([00:48:59](#)):

Not the first day, not any day that you were there?

Brian Priddin ([00:49:02](#)):

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The only orientation that would be was, they would call all the passengers outside, just kind of outside where the engine room was, the hatch of the engine room, that area. Jerry would stand usually up above, and they had a scripted thing and he would talk about safety. 90% was dive safety. They would mention there were life jackets and a lifeboat up on the level he was at. That was basically all, there was no seven short whistles, where's where we're going to assemble? Here's what we would want you to do. There was none of that.

Renaldo ([00:49:40](#)):

Right and if you don't mind to spend a little bit of time on that. You were observer at that time, but you hear him, you listen to him what he was saying. My understanding is through our prior conversation is, that actually would happen next day, early in the morning, is that correct?

Brian Priddin ([00:50:00](#)):

That's correct.

Renaldo ([00:50:01](#)):

They would leave at night, there was no orientation, everybody's in the bunks. I'm talking about passengers, you didn't know about the other crew right? I'm talking about that first day.

Brian Priddin ([00:50:12](#)):

Yes.

Renaldo ([00:50:13](#)):

Next morning, people wake up and at what time that orientation would take place? Before breakfast, after breakfast, any specific time?

Brian Priddin ([00:50:22](#)):

I think it was like 8:00 AM after practice, before the first dive.

Renaldo ([00:50:26](#)):

Who's calling passengers for orientation? Like who's saying what.

Brian Priddin ([00:50:30](#)):

They had a PA system and Jerry would get on the horn and basically tell everybody we're going to meet here and go over the orientation.

Renaldo ([00:50:39](#)):

If you don't mind, tell me Jerry's full name again.

Brian Priddin ([00:50:41](#)):

Jerry Boylan.

Renaldo ([00:50:43](#)):

He's the captain, right?

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Brian Priddin ([00:50:43](#)):

Yes.

Renaldo ([00:50:45](#)):

He would gather the passengers and crew, they would gather after the ship?

Brian Priddin ([00:50:51](#)):

Yes.

Renaldo ([00:50:53](#)):

Where the engine room is?

Brian Priddin ([00:50:55](#)):

Near there, yeah.

Renaldo ([00:50:57](#)):

He would be on sun deck on top, right?

Brian Priddin ([00:51:01](#)):

I think two of the three times I heard it, he was up there. I think one time he was down below.

Renaldo ([00:51:07](#)):

And then he had a script that he was reading from?

Brian Priddin ([00:51:11](#)):

Yes.

Renaldo ([00:51:12](#)):

Okay, and you said most of the, about 90%, if I can quote you correctly, was about diving safety, right?

Brian Priddin ([00:51:22](#)):

Yes.

Renaldo ([00:51:23](#)):

Tell me that 10% in estimate about ship safety, what was that about?

Brian Priddin ([00:51:29](#)):

There are life jackets and lifeboats up here. Then Kelly would do a piece about the kitchen and she would talk about no one's allowed in the kitchen, no one's allowed in the engine room. That was about the extent of boat safety, I would say.

Renaldo ([00:51:44](#)):

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Roger that. So nothing, this is how you tie on your life jacket, this is what kind of sign you going to hear in case of emergency, this is where you gather in case of emergency? Nothing like that.

Brian Priddin ([00:52:01](#)):

Not when I was on board. Never was any of that presented.

Speaker 1 ([00:52:03](#)):

That safety orientation, how many times was that given over the course of the trip?

Brian Priddin ([00:52:08](#)):

One time, the first morning.

Speaker 1 ([00:52:11](#)):

And dive charter groups would charter the vessel, correct?

Brian Priddin ([00:52:15](#)):

Yes.

Speaker 1 ([00:52:15](#)):

Would anyone from those businesses give a separate or another safety orientation after Jerry?

Brian Priddin ([00:52:22](#)):

I didn't observe anything like that, no.

Speaker 1 ([00:52:24](#)):

Okay, so it was kind of Jerry would do his thing and then have at it.

Brian Priddin ([00:52:28](#)):

That's what I saw when I was on there, yeah.

Speaker 1 ([00:52:29](#)):

Okay.

Renaldo ([00:52:31](#)):

Do you remember any of the guests or passengers having any questions during that orientation? Anybody said anything?

Brian Priddin ([00:52:45](#)):

No, and the only question I got was about the smoking, and then somebody had asked me if I could talk to Jerry about the smoking that was going on because it was bothering them as a non-smoker. That was the only question I remember getting. That wasn't even publicly asked. He just asked me then I went to Jerry and Jerry was like, no, not big deal.

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Renaldo ([00:53:06](#)):

Roger that. What is your opinion as a professional captain, when you heard this orientation? Did you have any questions in your mind or what was your [inaudible 00:53:16]?

Brian Priddin ([00:53:17](#)):

I remember asking, I think it was Jerry, like I said, this is strange, why are you doing an orientation the next morning? What if something happens that first night? How are they going to know anything? And then it was kind of like, well, don't worry about it and that wasn't satisfactory to me. I didn't like that answer.

Renaldo ([00:53:38](#)):

Do you remember his exact answer word by word when you ask him that question?

Brian Priddin ([00:53:44](#)):

I don't remember word for word.

Renaldo ([00:53:46](#)):

Roger that.

Speaker 1 ([00:53:47](#)):

So your impression of his response was what again?

Brian Priddin ([00:53:52](#)):

Don't worry about it, or that's kind of how we do things.

Renaldo ([00:53:58](#)):

Roger that. Is there a breakfast served?

Brian Priddin ([00:54:06](#)):

Yes.

Renaldo ([00:54:07](#)):

Okay, and then people would go and dive, right?

Brian Priddin ([00:54:15](#)):

Yes.

Renaldo ([00:54:16](#)):

How were you involved in that? How did you help? What did they ask you to do?

Brian Priddin ([00:54:20](#)):

So filling tanks before the dive, where people are getting ready, just be there to help them out. If they're having trouble getting their gear on, just help them get their gear on, before they jump off make sure

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double check the oxygen's on, that they got everything they need. We have things like people forget their bins, whatever.

(00:54:46):

Once they were in the water, then our whole focus was watching for bubbles, making sure everybody was there. They had a clipboard with people's names, and anytime we were going to move the boat, then you would check. One side was higher then I would be typically responsible for making sure, I made sure that every person I personally saw that they were on board and then checked them. If I didn't see them, search the vessel until I find them, even it means they're downstairs sick, I'm going to go down, wake them up, and make sure that they're physically on board.

(00:55:24):

Just kind of watching there, making sure they had some safety equipment, like a throw ring and in case we had to launch, well the RIB would be in the water if we needed to get in it and go out, either I or one the deckhands would typically do that.

Renaldo (00:55:41):

Yeah, so there is captain, on those trips when you were there, there is a second captain and how many crew?

Brian Priddin (00:55:51):

There were two deckhands, unlicensed and one licensed deckhands, a cook and an assistant cook.

Renaldo (00:55:56):

Cook and an assistant, so six people?

Brian Priddin (00:55:58):

Six people, yes.

Renaldo (00:56:00):

Roger that and you were seventh person?

Brian Priddin (00:56:01):

On the first trip, yeah, I was a quasi seventh person. Yeah.

Renaldo (00:56:06):

Roger that. The moment, who's doing what during those diving trips? When they go out and dive? Everybody's hands on or just deck hands are helping?

Brian Priddin (00:56:21):

It was pretty much everybody. One person, typically Milton or Hunter would be in their wetsuit as a safety diver, in case they needed to go in. Sometimes Jerry had driven all night, so sometimes he was asleep. But everybody else, pretty much, unless the cook and assistant cook were cleaning or prepping food or whatever they were doing. The three of us, that was our primary job was just to focus on making sure that the divers were safe.

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Renaldo ([00:56:53](#)):

Sorry, who is at the wheelhouse during those activities?

Brian Priddin ([00:56:59](#)):

Nobody typically would be up there unless Jerry was sleeping in the wheelhouse but nobody's there monitoring anything.

Speaker 1 ([00:57:06](#)):

This was at anchor, right? During Dives?

Brian Priddin ([00:57:07](#)):

Yes.

Speaker 1 ([00:57:08](#)):

Okay, gotcha. Can you elaborate a little more, Brian? I'm glad we got to that topic, I had a question on the diving of crew. They were on standby in their wetsuits in the event of an emergency, is that right?

Brian Priddin ([00:57:24](#)):

Yes.

Speaker 1 ([00:57:24](#)):

Would they make dives anyway?

Brian Priddin ([00:57:29](#)):

The non- safety diver, maybe it would be the safety dive? Sometimes yes. A crew member before anybody else got in would jump in and do a dive solo, which I didn't really care for.

Speaker 1 ([00:57:44](#)):

What do you mean?

Brian Priddin ([00:57:44](#)):

They had no buddy, no second diver with him, so they would basically be by themselves.

Speaker 1 ([00:57:53](#)):

What was the purpose of that?

Brian Priddin ([00:57:54](#)):

Just for their own recreation or once in a while Jerry would have one of them go down to check the anchors or something.

Speaker 1 ([00:58:03](#)):

Did you feel it was necessary as a mariner to physically swim down and check the anchor?

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Brian Priddin ([00:58:11](#)):

No.

Speaker 1 ([00:58:12](#)):

Why is that?

Brian Priddin ([00:58:16](#)):

The only time they did check the anchor was because he was having all kinds of trouble getting set on a spot, and so he wanted Hunter to go down and check it. But then it turned out, Hunter got back and he is like, wow, I've never did dove that deep before. It was like a hundred feet. He had never gone beyond 40 feet or something and then I'm learning he had just learned how to dive maybe less than six months beforehand or something. So I was like, wow.

Speaker 1 ([00:58:51](#)):

Did he go down on his own?

Brian Priddin ([00:58:51](#)):

He went down on his own.

Speaker 1 ([00:58:53](#)):

Was he sent down?

Brian Priddin ([00:58:55](#)):

He was sent down.

Speaker 1 ([00:58:55](#)):

By?

Brian Priddin ([00:58:56](#)):

Jerry.

Speaker 1 ([00:58:57](#)):

Okay, so Jerry couldn't anchor, he said, swim down, dive down, see what's going on.

Brian Priddin ([00:59:01](#)):

Yeah.

Speaker 1 ([00:59:02](#)):

If you could tell me briefly why, in your opinion as a licensed mariner with your experience, is it not necessary to physically swim down and check an anchor as a matter of practice? I guess what other ways?

Brian Priddin ([00:59:16](#)):



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You can tell by visual sites, take bearings on different and we were at Catalina at the time, so I mean, you've got plenty of places to take bearings to make sure that we're not drifting or that we're not moving. You have GPS, you can set an anchor alarm.

Speaker 1 ([00:59:31](#)):

Was that ever set?

Brian Priddin ([00:59:33](#)):

It was.

Speaker 1 ([00:59:33](#)):

An anchor alarm?

Brian Priddin ([00:59:34](#)):

At night, I know he did set and I had my own GPS, a handheld that I would set an anchor alarm on just so I had my own.

Speaker 1 ([00:59:44](#)):

Who told you to do that?

Brian Priddin ([00:59:45](#)):

No one.

Speaker 1 ([00:59:46](#)):

Okay, and this was a device you brought on board?

Brian Priddin ([00:59:48](#)):

Yes.

Speaker 1 ([00:59:48](#)):

Do you still have that?

Brian Priddin ([00:59:49](#)):

I do.

Speaker 1 ([00:59:52](#)):

Okay. Sorry, I really want to make sure we flesh this out with the diving. Was it common practice, yes or no? For a crew member to dive?

PART 2 OF 4 ENDS [01:00:04]

Speaker 1 ([01:00:02](#)):

Practice, yes or no for a crew member to dive either alone or with the passengers?

This transcript was exported on Apr 28, 2023 - view latest version [here](#).

Brian Priddin ([01:00:07](#)):

Yeah, it was pretty common. Yeah.

Speaker 1 ([01:00:09](#)):

I see. And that was by whose direction?

Brian Priddin ([01:00:15](#)):

So, if it was check the anchor, then that would be Jerry telling the person, "Go do this." At other times, if it was, this is a benefit to working here, you like to dive as long as you're basically getting your dive in and your back so you can watch other people, "Go ahead." If you weren't, the safety diver had to be there.

Speaker 1 ([01:00:40](#)):

Was that company policy? Did Glen know about it? Did Glen know that Jerry was doing this?

Brian Priddin ([01:00:46](#)):

I don't know.

Speaker 1 ([01:00:47](#)):

You're not aware?

Brian Priddin ([01:00:48](#)):

Yeah, but I mean I did personally see Jerry tell Hunter or Milton, "Yeah, it's okay. Go now." Or Kelly, "Go now. It's fine."

Speaker 1 ([01:00:57](#)):

So, did I hear you say it was mostly for recreational and you saw once he wanted to check the anchor?

Brian Priddin ([01:01:04](#)):

Yes.

Speaker 1 ([01:01:05](#)):

Okay.

Brian Priddin ([01:01:08](#)):

But to that point, on the last trip Milton wasn't there. I think he had lived in Santa Cruz, he was going to move down to Santa Barbara. So, he was moving that particular time. So, they had another guy on board and I don't remember his name. I just know that he had worked for the company previously and that he now works for a maritime engineering firm. Like Monday through Friday, or he had the weekends off. So, it must have been a weekend deal.

([01:01:34](#)):

And he was telling me that that was basically, it sounded like common practice, that he was relaying stories where he had to go down off like Santa Rosa Island and the anchor was wrapped around

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something and he didn't want to be down there because there's a great white shark that is in the area and he really didn't- he was kind of felt like he had to because the captain was telling him to do it.

Speaker 1 ([01:01:59](#)):

Which captain?

Brian Priddin ([01:02:00](#)):

I don't know. It was a different boat.

Speaker 1 ([01:02:02](#)):

And what did you understand, common practice? Common practice for Truth? Common practice for the industry? Do you understand that at all?

Brian Priddin ([01:02:10](#)):

I mean, I figured minimum common practice for Truth.

Speaker 1 ([01:02:13](#)):

I see. And what's your thought on, other than you mentioned just regular dive safety of a solo dive. What's your thought from a licensed mariner point of view of crew members, right? Because these were deckhands, making dives.

Brian Priddin ([01:02:33](#)):

Well, I mean, I've never been around that before.

Speaker 1 ([01:02:36](#)):

Would there be a need? If it was up to you, I guess, would you promote that or allow that? And if not, why wouldn't you let crew members go diving?

Brian Priddin ([01:02:47](#)):

Well, if something happened to them, we don't have another person to replace them at sea. So, that would be significant.

Speaker 1 ([01:02:54](#)):

To replace them in case of what?

Brian Priddin ([01:02:56](#)):

Well, if they got injured, if they got lost at sea, if something goes wrong with the scuba system.

Speaker 1 ([01:03:04](#)):

So, what about on the boat though? What would be a negative to having crew members diving and not physically present on the vessel?

Brian Priddin ([01:03:17](#)):

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Well, I mean, that's what I was thinking of is that well, if something happens to them, and let's just say I hurt my hand, I come back and now I can't perform my duties. I'm the only other licensed person. They're supposed to be another licensed person. Or let's say, I didn't come back. Now, they legally shouldn't be moving the boat because now it's just one licensed captain. You also don't have the coverage for safety for the other divers.

Speaker 1 ([01:03:42](#)):

Right.

Brian Priddin ([01:03:43](#)):

Or shorthanded possibly on the deck.

Speaker 1 ([01:03:46](#)):

Like shorthanded maybe for a man overboard?

Brian Priddin ([01:03:49](#)):

Right.

Speaker 1 ([01:03:49](#)):

Or what would be another emergency that would be critical to have crew members present on the boat?

Brian Priddin ([01:03:56](#)):

Well, fire or anything.

Speaker 1 ([01:04:00](#)):

Okay. Yeah, I appreciate that. I just had a couple follow up on that if you want to keep running with that.

Renaldo ([01:04:04](#)):

So, sir, couple of items I'm interested in. You said a lot of people were smoking on board, right? Passengers?

Brian Priddin ([01:04:16](#)):

I mean-

Renaldo ([01:04:16](#)):

Have you seen them, actually?

Brian Priddin ([01:04:17](#)):

I did see passengers smoke. I couldn't tell you what percentage were smokers versus non-smokers.

Renaldo ([01:04:23](#)):

Where were they smoking? Inside of the-

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Brian Priddin ([01:04:26](#)):

The ones I saw were outside. Outside of that mess area, or on the bow or back. They were outside. They were not inside when I saw it.

Renaldo ([01:04:39](#)):

You remember seeing them throwing cigarettes overboard, or they had the designated area where they would actually extinguish cigarette?

Brian Priddin ([01:04:48](#)):

I never saw them throw anything. Or let them throw it overboard. But there was not, that I knew of, a designated area to extinguish your cigarettes.

Renaldo ([01:04:56](#)):

Roger that.

Speaker 1 ([01:04:57](#)):

You said they commonly smoked aft on the stern deck? Is that what I was hearing?

Brian Priddin ([01:05:00](#)):

Yes.

Renaldo ([01:05:04](#)):

Roger that. As far as the meals, like they served breakfast, lunch, and dinner on those?

Brian Priddin ([01:05:09](#)):

Yes. Yes.

Renaldo ([01:05:09](#)):

And that was packaged meals or somebody was cooking?

Brian Priddin ([01:05:12](#)):

Somebody was cooking each meal, yeah.

Renaldo ([01:05:14](#)):

Roger that. And condition. Let's say you're in the galley, somebody's cooking, was it smokey? Like a lot of smoke, or it was insulated well? Do you remember?

Brian Priddin ([01:05:31](#)):

Usually I wasn't in the area when they were cooking because they would be out diving, so I would be outside.

Renaldo ([01:05:38](#)):

Roger that.

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Brian Priddin ([01:05:38](#)):

Right. So, I don't remember. I don't remember it being like that smokey, but yeah.

Renaldo ([01:05:46](#)):

Do you remember any smoke alarm going off?

Brian Priddin ([01:05:48](#)):

Yes.

Renaldo ([01:05:48](#)):

You do? Tell me about it.

Brian Priddin ([01:05:51](#)):

I don't remember what trip. I remember the ones inside the mess hall, just inside those double doors went off. And then the deck hands, I don't remember if it was Milton or Hunter, one of them took it down, took the battery out to reset it, and then put the battery back in and put it back up.

Speaker 1 ([01:06:10](#)):

And, sorry, where exactly were these fire alarms?

Brian Priddin ([01:06:13](#)):

They were-

Speaker 1 ([01:06:13](#)):

Or what was it? A smoke detector?

Brian Priddin ([01:06:16](#)):

Just like a home-

Speaker 1 ([01:06:18](#)):

Household?

Brian Priddin ([01:06:18](#)):

... household smoke detector, and it went off.

Speaker 1 ([01:06:23](#)):

They were where? Sorry.

Brian Priddin ([01:06:24](#)):

So, you went in those double doors? I believe there was one on each side.

Speaker 1 ([01:06:30](#)):

So, are you saying you-

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Brian Priddin ([01:06:30](#)):

Towards aft.

Speaker 1 ([01:06:31](#)):

... immediately, once you enter the salon, they're in the overhead towards the aft end of the salon?

Brian Priddin ([01:06:35](#)):

Yes.

Speaker 1 ([01:06:36](#)):

Opposite sides?

Brian Priddin ([01:06:37](#)):

Yes.

Speaker 1 ([01:06:37](#)):

And is there any other smoke alarms on that deck?

Brian Priddin ([01:06:40](#)):

Not that I'm aware of.

Speaker 1 ([01:06:41](#)):

Okay.

Renaldo ([01:06:41](#)):

And that's more or less about the dining tables, or?

Brian Priddin ([01:06:48](#)):

Yeah, it would've been like maybe that first dining table.

Renaldo ([01:06:49](#)):

First dining table?

Brian Priddin ([01:06:51](#)):

Yeah.

Renaldo ([01:06:52](#)):

Okay. On both sides, right?

Brian Priddin ([01:06:53](#)):

On both sides, yeah.

Renaldo ([01:06:54](#)):

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Not just starboard side. Do you remember why was that smoke alarm going off?

Brian Priddin ([01:07:00](#)):

They were cooking, and so it was just going off I because of the smoke as they were cooking. So, yeah.

Speaker 1 ([01:07:06](#)):

Did the extractor work up front for the smoke from the regular cooking on the flat top? It would suck out. Do you know if that worked?

Brian Priddin ([01:07:15](#)):

I mean, I didn't personally observe it. I was assuming that it did, but I don't know.

Speaker 1 ([01:07:20](#)):

Did you hear them make any complaints about anything not working?

Brian Priddin ([01:07:25](#)):

I know there was issues with the barbecue that was outside, and I don't know exactly what. But I know that the cook and Jerry had some agreement disagreement over using it, not using it, kind of thing on one of the trips.

Speaker 1 ([01:07:38](#)):

To the best of your recollection, what was the issue?

Brian Priddin ([01:07:43](#)):

I think it was having to do with the generator, because we were having all kinds of issues with the generator overheating. So, it probably would've been that first four-day trip. Though, it continued through the whole time that I worked there.

Speaker 1 ([01:07:56](#)):

When would the generator overheat?

Brian Priddin ([01:07:59](#)):

So, it was overheating multiple times during our trips.

Speaker 1 ([01:08:04](#)):

Underway? At anchor?

Brian Priddin ([01:08:06](#)):

We were at anchor.

Speaker 1 ([01:08:07](#)):

No problems with generator underway?



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Brian Priddin ([01:08:08](#)):

Not that I remember.

Speaker 1 ([01:08:08](#)):

Okay. So, at anchor it would overheat. Why?

Brian Priddin ([01:08:14](#)):

So, the thought was... Like Jerry's thought was that it was the air compressors. So, there were two air compressors for normal air and then there was a Nitrox compressor. And he thought, oh, that third one was too much of a load because this was a fairly new generator. It was a John Deere and they had a different one.

([01:08:35](#)):

And so that was his thought. But we even stopped using on later trips and it would overheat at times. And then, I think maybe the barbecue that was too much of a load.

Speaker 1 ([01:08:46](#)):

Got you.

Brian Priddin ([01:08:46](#)):

Or something, I don't remember.

Speaker 1 ([01:08:48](#)):

Did Glen get notified about the generator issues?

Brian Priddin ([01:08:53](#)):

I mean, I don't have personal knowledge of it. I know that Jerry told me he had ordered parts and he was waiting for the parts to come in, so I assume that went through the office, in order to do that. He was going to service the heat exchanger or replace the heat exchanger that was on there hoping that would solve the problem.

Speaker 1 ([01:09:10](#)):

What did you view in your time there of the relationship between Jerry and Glen, as far as what would Jerry report to Glen about? Personnel issues on the boat, things breaking down on the boat, how the day went?

Brian Priddin ([01:09:24](#)):

I have no, nothing I can add to that.

Speaker 1 ([01:09:27](#)):

I see.

Brian Priddin ([01:09:27](#)):

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I mean, other than just seeing them talk briefly after that first four days, I don't know that I ever saw them really interacting.

Speaker 1 ([01:09:36](#)):

Got you.

Renaldo ([01:09:36](#)):

I'm going to go to that alarm going off, again.

Brian Priddin ([01:09:39](#)):

Yeah.

Renaldo ([01:09:39](#)):

So, alarm went off pretty loud?

Brian Priddin ([01:09:48](#)):

I mean, yeah, it was-

Renaldo ([01:09:48](#)):

Same as the house?

Brian Priddin ([01:09:48](#)):

Yeah.

Renaldo ([01:09:49](#)):

That's a loud thing, right?

Brian Priddin ([01:09:50](#)):

Yeah.

Renaldo ([01:09:50](#)):

You can hear it. And who took it down and took the battery out?

Brian Priddin ([01:09:57](#)):

I mean, it was one of the deck hands. I don't remember if it was Hunter, or Milton. They were together.

So, I don't know who took it down. But, I mean, they both were there and then they put it back up.

Renaldo ([01:10:06](#)):

And their deck hands?

Brian Priddin ([01:10:08](#)):

Yes.

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Renaldo ([01:10:08](#)):

That happened during the meal preparation, right?

Brian Priddin ([01:10:12](#)):

Yes.

Renaldo ([01:10:13](#)):

Breakfast, or lunch, or dinner? Do you remember?

Brian Priddin ([01:10:15](#)):

I want to say dinnertime.

Renaldo ([01:10:16](#)):

Dinnertime?

Brian Priddin ([01:10:17](#)):

Yeah.

Renaldo ([01:10:17](#)):

Roger that. So, they took it off, took the battery out, put it back in, and put the battery back in, and then put the detector back on?

Brian Priddin ([01:10:27](#)):

Right.

Renaldo ([01:10:28](#)):

Roger that. And that happened only once?

Brian Priddin ([01:10:34](#)):

That I saw, yeah.

Renaldo ([01:10:34](#)):

And about the generator. And this was on board of which boat?

Brian Priddin ([01:10:38](#)):

Conception.

Renaldo ([01:10:39](#)):

Conception.

Brian Priddin ([01:10:39](#)):

Yeah, I only was on Conception.

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Renaldo ([01:10:40](#)):

Only, okay. Roger that. And as far as that generator that you said, was overheating on every trip that you were there?

Brian Priddin ([01:10:55](#)):

I mean, I know it was a big problem in that first four days. It was less of a problem. It did overheat even on the last trip, but, so we had a one-day trip, so we didn't work it that hard. Then the next trip I'm on, it's not a dive trip, so there wasn't an issue. I don't remember that trip.

([01:11:15](#)):

But the two-day, last two-day dive trip that I was there for, I do remember it. It was overheating. I was seeing the white steam smoke come out and went down and checked and the temperature was high.

Renaldo ([01:11:30](#)):

And where was the generator located?

Brian Priddin ([01:11:32](#)):

So, straight down the stairs of the engine room, if you came down the stairs, it was basically straight across.

Renaldo ([01:11:39](#)):

Roger that.

Brian Priddin ([01:11:39](#)):

And then the two main engines would've been forward of that.

Renaldo ([01:11:42](#)):

Forward, okay.

Brian Priddin ([01:11:43](#)):

Yeah, it was on the port side.

Renaldo ([01:11:44](#)):

So, it was visible from the deck? The smoke was shooting up?

Brian Priddin ([01:11:47](#)):

Yes.

Renaldo ([01:11:47](#)):

Okay. And that's how they knew that something was going on? There was no alarm, there was not any kind of electronic device on a wheel deck that would alert them that something's overheating?

Brian Priddin ([01:12:02](#)):

For the generator?

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Renaldo ([01:12:03](#)):

For the generator.

Brian Priddin ([01:12:03](#)):

The only one I know of was on the generator itself. There was the control panel.

Renaldo ([01:12:09](#)):

Roger that. So, the way they noticed this, smoke?

Brian Priddin ([01:12:11](#)):

Steam. Yeah.

Renaldo ([01:12:12](#)):

Steaming. Let's see what's going on.

Brian Priddin ([01:12:14](#)):

Yeah, there was a exhaust vent on the port side, I think right where basically was located. And so, when we were after that helping with the diving, I looked over and saw it coming up and it was significant.

Renaldo ([01:12:30](#)):

Roger that. Okay. At that time you alerted somebody, or?

Brian Priddin ([01:12:33](#)):

I went, I just said, "Hey, I'm going to go check on that." I went down and checked it on there. I let Jerry know, and then he was like, "Okay, you can only use one of the compressors," because I think it was the last day of the trip, "just use the one compressor from now on."

Renaldo ([01:12:47](#)):

Those compressors to fill up the-

Brian Priddin ([01:12:49](#)):

The dive tanks.

Renaldo ([01:12:50](#)):

... the dive tanks.

Brian Priddin ([01:12:50](#)):

Yeah.

Renaldo ([01:12:52](#)):

Okay. And that remedied the overheating?

Brian Priddin ([01:12:55](#)):

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Yeah, I don't remember it happening after that.

Renaldo ([01:12:56](#)):

Okay. During that day?

Brian Priddin ([01:12:56](#)):

During that day, yes.

Renaldo ([01:13:01](#)):

Okay. So, would you be able to tell me other scenarios when it actually started overheating and what kind of remedies they implemented to stop it?

Brian Priddin ([01:13:16](#)):

I mean, the only ones I remember was that first four-day trip, and then he was having the deck hands go check it periodically and then report what the temperature was.

Renaldo ([01:13:25](#)):

Roger that.

Brian Priddin ([01:13:28](#)):

And then if it was too hot... I think so on that trip eventually on the last day of that trip, they said, "No more Nitrox, just air for everybody. Sorry." And then we didn't use that Nitrox compressor anymore.

Renaldo ([01:13:44](#)):

Roger that. And on all those trips that you were there, only that Nitrox compressor highly likely was causing that, right? You cannot know, right?

Brian Priddin ([01:13:51](#)):

I don't know. Yeah. That was Jerry's conclusion, that it was that, therefore let's not use that anymore and just use the two.

Renaldo ([01:14:00](#)):

Roger that. Did this help?

Brian Priddin ([01:14:04](#)):

I mean, it still overheated. That other trip, we weren't using Nitrox, just the two.

Renaldo ([01:14:08](#)):

It's still overheated.

Brian Priddin ([01:14:08](#)):

Right.

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Renaldo ([01:14:09](#)):

So, that theory might be thrown overboard, in a way?

Brian Priddin ([01:14:13](#)):

Right. Yeah.

Renaldo ([01:14:14](#)):

Because it still happened if you didn't use that Nitrox.

Brian Priddin ([01:14:17](#)):

Right. And I wasn't there when he pulled apart, if he ever did pull apart, the heat exchanger to see what the condition of that was. I think that he said it had been put in maybe six months before and he thought that might be getting plugged, and therefore that was the flow was restricted, therefore it's getting too hot. Because it shouldn't have been an issue. Because it was supposed to be rated high enough to run all that. It was supposed to be rated at least as much as the old one, or more so.

Renaldo ([01:14:44](#)):

Roger that.

Brian Priddin ([01:14:45](#)):

Yeah.

Renaldo ([01:14:47](#)):

And this more or less happened during the daytime?

Brian Priddin ([01:14:51](#)):

I mean, I never saw it at night.

Renaldo ([01:14:53](#)):

At night? Yeah.

Brian Priddin ([01:14:56](#)):

Yeah. The only time I know that it overheated was during the day when dive operations were going on.

Renaldo ([01:15:00](#)):

Roger that. You had your cell phone with you on those trips?

Brian Priddin ([01:15:04](#)):

Yes.

Renaldo ([01:15:05](#)):

How did you charge that?

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Brian Priddin ([01:15:07](#)):

I had a plug in my bunk.

Renaldo ([01:15:11](#)):

In your bunk?

Brian Priddin ([01:15:12](#)):

Yeah.

Renaldo ([01:15:12](#)):

Okay.

Speaker 1 ([01:15:13](#)):

What did that look like? Did it have its face? Was it open face? What was your perception of the actual little plug?

Brian Priddin ([01:15:22](#)):

I mean, it was a box. The box just sitting there with a plate.

Speaker 1 ([01:15:25](#)):

It was sealed?

Brian Priddin ([01:15:25](#)):

Yeah.

Speaker 1 ([01:15:27](#)):

It looked-

Brian Priddin ([01:15:29](#)):

It looked sealed, yeah.

Speaker 1 ([01:15:30](#)):

... it looked good to you?

Brian Priddin ([01:15:31](#)):

Yeah.

Speaker 1 ([01:15:32](#)):

Nothing, no wires hanging out, nothing like that?

Brian Priddin ([01:15:33](#)):

I can't remember. I mean, there were wires, but I don't remember...



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Speaker 1 ([01:15:39](#)):

What do you mean wires?

Brian Priddin ([01:15:40](#)):

Well, I remember seeing wires in the bunk. I don't remember...

Speaker 1 ([01:15:44](#)):

Wires in what kind of conditions?

Brian Priddin ([01:15:48](#)):

I'm not remembering.

Speaker 1 ([01:15:48](#)):

That's okay. That's all right.

Renaldo ([01:15:51](#)):

And almost every bunk had place for where they actually charged their phones or cameras or anything like that?

Brian Priddin ([01:16:02](#)):

I'm trying to remember when I was downstairs. I can't remember.

Renaldo ([01:16:10](#)):

Roger that.

Brian Priddin ([01:16:10](#)):

I'm going to assume I had to because I know I didn't just leave it out somewhere. So, it must have been, there must have been one at least in the bunk that I was in. I don't know for all the bunks. I don't remember.

Renaldo ([01:16:19](#)):

Do you remember upstairs, any place where people would charge their equipment, or anything?

Brian Priddin ([01:16:25](#)):

Yeah, I mean there was plugs in that mess area and people would plug all kinds of stuff in there.

Renaldo ([01:16:31](#)):

And those plugs were just extension cords, or anything?

Brian Priddin ([01:16:36](#)):

No, I mean they were like a wall plug. Yeah.

Renaldo ([01:16:38](#)):

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Oh, okay.

Speaker 1 ([01:16:39](#)):

Do you know what daisy chaining is, Brian?

Brian Priddin ([01:16:41](#)):

Yeah.

Speaker 1 ([01:16:41](#)):

Did you see that?

Brian Priddin ([01:16:42](#)):

I did once in a while. Yeah.

Speaker 1 ([01:16:44](#)):

And who would do it?

Brian Priddin ([01:16:45](#)):

The passengers that I saw. Yeah.

Speaker 1 ([01:16:47](#)):

Did the crew notice it was going on?

Brian Priddin ([01:16:51](#)):

I don't remember.

Speaker 1 ([01:16:54](#)):

To your recollection, were they told not to do that?

Brian Priddin ([01:16:57](#)):

Not, I mean, I don't remember anybody saying that. No. Yeah.

Speaker 1 ([01:17:01](#)):

Got you. And when you said all kinds of stuff being charged, could you just give us a quick list of what you saw being charged?

Brian Priddin ([01:17:08](#)):

Phones, laptops, cameras. Yeah. Other dive equipment, like their computers.

Speaker 1 ([01:17:19](#)):

But was like the biggest thing you saw getting charged?

Brian Priddin ([01:17:22](#)):

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Probably everybody's phone. Lots of phones.

Speaker 1 ([01:17:24](#)):

Physically?

Brian Priddin ([01:17:26](#)):

Cameras.

Speaker 1 ([01:17:28](#)):

Okay. Cameras.

Brian Priddin ([01:17:28](#)):

There were some large S.C.U.B.A cameras.

Speaker 1 ([01:17:29](#)):

What size would you say, more or less?

([01:17:32](#)):

Like a foot?

Brian Priddin ([01:17:35](#)):

So, some of those are probably, yeah, like two hands.

Speaker 1 ([01:17:40](#)):

You hold them in two hands?

Brian Priddin ([01:17:41](#)):

So, the camera for themselves would probably be like six inches by six inches, somewhere in that neighborhood.

Speaker 1 ([01:17:46](#)):

And the battery is in there? So, they plug the whole thing in?

Brian Priddin ([01:17:48](#)):

Right.

Speaker 1 ([01:17:48](#)):

Got you.

Brian Priddin ([01:17:48](#)):

Yeah.

Speaker 1 ([01:17:48](#)):

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Okay.

(01:17:52):

Yeah, I just, if you want to, I'm sorry I keep interrupting. We're not off of you're your line of questioning, but I just have a few to kind of dovetail my stuff out.

Renaldo (01:18:01):

Absolutely.

Speaker 1 (01:18:01):

And whenever you're done, let me know and I'll...

(01:18:06):

Were the fire pumps ever activated while you were on board?

Brian Priddin (01:18:09):

No. Not to my knowledge anyway.

Speaker 1 (01:18:12):

Did you know how to activate them?

Brian Priddin (01:18:15):

No, he never did show me where the button was. And so on the test dot, test ship time, I took-

Speaker 1 (01:18:24):

The Navy test ship?

Brian Priddin (01:18:25):

Yeah, the Navy test ship. During that one, two days that we didn't have dive operations going on, so I had time, free time, I guess I used it to go in an engine room, try to figure out where all this stuff was. So I mean, I did go down and look and see, okay, well here's where the pump is, here's where the valves are.

Speaker 1 (01:18:43):

Okay.

Brian Priddin (01:18:43):

But that was all my own doing?

Speaker 1 (01:18:46):

So, where all doing could you start the fire pump?

Brian Priddin (01:18:49):

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I mean, that was the only one that I knew was fully, was up in the wheelhouse. I remember seeing the valves down in the engine room, itself.

Speaker 1 ([01:18:59](#)):

So, if you had to write a list of places to energize fire main, or fire pump, what would that list be?

Brian Priddin ([01:19:06](#)):

The wheelhouse. That's the only one that I know off-hand.

Speaker 1 ([01:19:11](#)):

Okay.

([01:19:11](#)):

Did you know how the fire hoses were kept? Where those were at?

Brian Priddin ([01:19:14](#)):

Yes. One of the deck hands, because I asked about them, showed me where they were. They were on the outside of the mess area. Both, on aft, towards those double doors, one on each side.

Speaker 1 ([01:19:32](#)):

And who showed you that?

Brian Priddin ([01:19:33](#)):

I believe it was Hunter.

Speaker 1 ([01:19:35](#)):

Hunter?

Brian Priddin ([01:19:35](#)):

Yeah.

Speaker 1 ([01:19:36](#)):

Okay. When did you see a roving watch at night?

Brian Priddin ([01:19:43](#)):

I never did.

Speaker 1 ([01:19:46](#)):

The next day, did you ever hear anything like, "Oh man, I'm tired, I was up last night doing my roving watch?"

Brian Priddin ([01:19:53](#)):

No. Never heard anything like that.

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Speaker 1 ([01:19:55](#)):

Did you ever see... Sorry.

Brian Priddin ([01:19:57](#)):

I did ask Jerry every night, you know, "do I have a watch tonight?" And he would tell me six o'clock. So, the first four days I'm thinking, well, okay, I'm not really crew. When I did get up a couple of times to go to the bathroom and I never saw anybody at night, awake. And then the next trip I'm on, it's a one-day trip. There's no overnight. The next one after that was two days. And it was, the test ships was kind of different, because we got there late. It wasn't a full night and they left before the next night.

([01:20:29](#)):

So, only my real first experience truly was the last trip I was on, which was the two-day trip. I asked them about watch because I've never been on a ship where I didn't have a watch. And he said, okay, six o'clock. So I'm assuming, okay, well then maybe-

Speaker 1 ([01:20:42](#)):

You mean in the morning?

Brian Priddin ([01:20:43](#)):

Yeah.

Speaker 1 ([01:20:43](#)):

Be here at six in the morning?

Brian Priddin ([01:20:44](#)):

Right.

Speaker 1 ([01:20:45](#)):

Okay. Was there a watch schedule?

Brian Priddin ([01:20:46](#)):

No.

Speaker 1 ([01:20:47](#)):

Posted?

Brian Priddin ([01:20:48](#)):

No. I never-

Speaker 1 ([01:20:48](#)):

Verbal?

Brian Priddin ([01:20:48](#)):

No.

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Speaker 1 ([01:20:50](#)):

No one got told, "Hey, you're on for..."

Brian Priddin ([01:20:54](#)):

Not that I ever observed. I never saw that. Never heard it. Never. No one talked about it.

Speaker 1 ([01:20:58](#)):

I see.

Brian Priddin ([01:21:00](#)):

Again, it was get sleep when you can.

Speaker 1 ([01:21:02](#)):

Okay.

([01:21:04](#)):

Did you ever have any captain or crew meetings? Like all the captains and second captains meet at sea landing, or meet at Glen's house, or meet... we're going to have a meeting?

Brian Priddin ([01:21:16](#)):

Not during the time I worked with them, no.

Speaker 1 ([01:21:18](#)):

Did you ever hear about them being planned, or was it ever a thing?

Brian Priddin ([01:21:21](#)):

Never heard anything about anything like that. No.

Speaker 1 ([01:21:27](#)):

Got you.

([01:21:27](#)):

Couple more things, here. So, I want to spend some time on your complaint to the EPA. Now, we've read it in full and we understand it. And I don't necessarily need you to recount it. But I do- and also thank you for making that report. I know that was, that's usually a difficult thing to do, to report your own employer.

([01:21:57](#)):

Bearing all that in mind in your report, can you tell us any other things that was just flat out, I saw this company or these people break these regulations? Whether they were safety regulations, whether they were the more pollution type regulations. What all did you come away with when you saw these things go on? What were they?

Brian Priddin ([01:22:25](#)):

You mean knowing what I know now, or?

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Speaker 1 ([01:22:28](#)):

Sure.

Brian Priddin ([01:22:29](#)):

Well, knowing now that they were supposed to have a roving night watch, obviously I have was never asked to be a part of it and never observed it. Had gotten up at night. I know people were asleep.

Speaker 1 ([01:22:45](#)):

So, the roving watch, obviously the sewage being pumped that you reported.

Brian Priddin ([01:22:49](#)):

Right. Garbage thrown out.

Speaker 1 ([01:22:52](#)):

What about garbage?

Brian Priddin ([01:22:53](#)):

They would just dump it overboard.

Speaker 1 ([01:22:55](#)):

What types of garbage?

Brian Priddin ([01:22:57](#)):

Slops. So-

Speaker 1 ([01:22:59](#)):

Kitchen slops?

Brian Priddin ([01:23:00](#)):

... kitchen slops.

Speaker 1 ([01:23:00](#)):

Food waste?

Brian Priddin ([01:23:00](#)):

Yeah.

Speaker 1 ([01:23:01](#)):

What about plastic? Was it literally a garbage can full of anything and everything?

Brian Priddin ([01:23:09](#)):

The only one that I saw was, it wasn't a garbage can full of anything and everything. It was banana peels.



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Speaker 1 ([01:23:16](#)):

Okay, got you.

Brian Priddin ([01:23:16](#)):

That, yeah.

Speaker 1 ([01:23:16](#)):

Got you.

Brian Priddin ([01:23:16](#)):

Food slops. But, nothing chopped up. Just whatever.

Speaker 1 ([01:23:21](#)):

Okay.

Brian Priddin ([01:23:21](#)):

Yeah.

Speaker 1 ([01:23:22](#)):

When this guy Hunter would drive, when would he drive? Day or night?

Brian Priddin ([01:23:28](#)):

The only time I know he drove was coming back for a short time, so Jerry could get a cup of coffee, kind of thing. And it was daytime and autopilot said he's just basically there observing. He's not making-

Speaker 1 ([01:23:47](#)):

And you don't remember Hunter's last name, right?

Brian Priddin ([01:23:48](#)):

No.

Speaker 1 ([01:23:49](#)):

Was he a licensed mariner?

Brian Priddin ([01:23:50](#)):

No, not that I know of. I believe he was just a licensed deckhand.

Speaker 1 ([01:23:54](#)):

I see. Got you. What can you speak to, if anything at all, about Glen Fritzler's adherence to regulations? Do you have any thoughts on that? I know you mentioned that you told Glen in your report about the sewage discharge.

Brian Priddin ([01:24:13](#)):

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So, I mean, what I told Glen... So I had to ask him to meet me before the last trip because I was basically going to tell him I would go on the last trip, but I was done already.

Speaker 1 ([01:24:27](#)):

And did you ever meet him in between any of your employment other than when he told you you were hired?

Brian Priddin ([01:24:33](#)):

No. Well, I mean, he went on the test ship time. So I saw him, I think he just said hi.

Speaker 1 ([01:24:42](#)):

Right.

Brian Priddin ([01:24:42](#)):

And then one time when I went to get the T-shirt, he was in the office at that time and he just said, "Oh, we need to get more T-shirts."

Speaker 1 ([01:24:49](#)):

Cool. So, you set up a meeting, you basically want to quit, right?

Brian Priddin ([01:24:53](#)):

Right.

Speaker 1 ([01:24:55](#)):

And you meet him, you tell him about the sewage and how did that go?

Brian Priddin ([01:24:58](#)):

Oh, no. I never met with him. He never did meet with me. He couldn't meet me beforehand. So, then I said, "Well, can you meet me when we come back?" And he said he would. And then he didn't show when I came back. And part of it was I didn't want to quit over the phone, or in a text.

Speaker 1 ([01:25:19](#)):

I thought I read in a report that you had told him.

Brian Priddin ([01:25:22](#)):

So, I send him a... So I get back, I send him a text, saying, "I'm done here." And he came back with, "Well, maybe you can come take a dive." And I was like, "Look, come on a diving trip with us." And I was like, I don't remember exactly how I phrased it, but basically I said, "I'm a Christian missionary, I don't want to be involved with an organization that's doing illegal things." So, I didn't specifically say the sewage dumping, I just said illegal things. And then he just didn't respond to it. So, if I said I met with him, that wasn't, I don't think I said-

Speaker 1 ([01:26:01](#)):

No, I just thought I read-

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Brian Priddin ([01:26:03](#)):

But I felt like, well, and so my feeling was that, I mean, I knew he had got my text. If somebody said to me, "You're doing something illegal." I would say, "What are you talking about?"

Speaker 1 ([01:26:12](#)):

Yeah.

Brian Priddin ([01:26:12](#)):

"Let me meet with you, let's talk about this."

Speaker 1 ([01:26:14](#)):

Did somebody say that it was industry practice or common, it's just part of the industry, in regards to the sewage dumping? Do you recall anything?

Brian Priddin ([01:26:24](#)):

No. I mean, when I had a talk with Jerry, he said the tank wasn't big enough. So, I didn't know what was going on. They finally, they're using this, the phrase Henderson, Hendy, Hank, to talk about it. So, finally I go down there and Hunter shows me what it is and I go, "Well that's got to be locked." So, I chain and lock it.

([01:26:51](#)):

And then I had chained and locked it and then it backed up a little bit overnight the night, last night of the trip. So, the next day Jerry calls me up to a wheelhouse and he's like, "Why are you doing this?" And I'm like, "Well, this is the law. We're supposed to be doing this." And he was like, "Well, the holding tank's too small, what would you have me do?" And so I said, "Well, you need to get a bigger tank to hold it, or we need to go out and dump it; and you can't just do this." And he said it's captain's discretion, and I'm no longer to do that, to chain it and lock it. And that basically that was it.

([01:27:30](#)):

And then he looked at me and he goes, "You don't look like you're really enjoying working here." And I just said, "No, not really." And that was basically it. I didn't even officially quit to him. I felt like that felt like the moment when he was like, yeah, you're done. And I was kind of like, yeah, I'm done. I don't remember specifically somebody saying like-

Speaker 1 ([01:27:51](#)):

Yeah, no, I just reviewed and I'm looking here at your statement. Noah Fishery's Office for Law Enforcement Statement Form. That's you, right?

Brian Priddin ([01:28:00](#)):

Yes.

Speaker 1 ([01:28:01](#)):

Brian J [inaudible 01:28:01]. Okay. Yeah. I just scrolled to the bottom here and I'm saying that you did exactly what you just said, that you let Glen know you're Christian missionary, you don't want to risk

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your license and do not want to be part of his organization that was doing illegal activities. So, when you told him, Hey, you're, you guys are doing illegal stuff, Glen's response was...

Brian Priddin ([01:28:20](#)):

It was through text and he never responded to that.

Speaker 1 ([01:28:23](#)):

He didn't call you?

Brian Priddin ([01:28:24](#)):

No.

Speaker 1 ([01:28:24](#)):

He didn't email you?

Brian Priddin ([01:28:25](#)):

Nope.

Speaker 1 ([01:28:26](#)):

Didn't text back?

Brian Priddin ([01:28:27](#)):

No.

Speaker 1 ([01:28:27](#)):

He never inquired what the illegal activities?

Brian Priddin ([01:28:29](#)):

Right. No, he did not.

Speaker 1 ([01:28:31](#)):

As far as did he receive that text?

Brian Priddin ([01:28:33](#)):

As far as I know, he did. Yeah. I mean, it was I sent the first one, he responded back, I sent the next one. So, I don't think it was a long delay between them. And so I would've assumed he got it and just was like...

Speaker 1 ([01:28:45](#)):

I see. So, who was the only person who ever ordered the pumping overboard? Was it one person? Was it multiple people? Who had control of the valve who made it happen?

Brian Priddin ([01:28:57](#)):

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Jerry would tell the deck hands to go open the Henry, or make sure that Hank is closed. And then that was just kind of understood it's part of their duty. If the boat was moving it's supposed to be open. Overnight, it's supposed to be left open.

Speaker 1 ([01:29:11](#)):

I see.

Brian Priddin ([01:29:13](#)):

I mean, I talked to them about this was illegal and not right that this was happening.

Speaker 1 ([01:29:17](#)):

Right. I see. The one-day trip, if we could go to that just real briefly, on the Truth that Glen did, who was the captain that he was breaking in that day?

Brian Priddin ([01:29:28](#)):

I don't remember his name.

Speaker 1 ([01:29:29](#)):

Okay. But you are sure it was June first? Am I understanding that?

Brian Priddin ([01:29:34](#)):

Yes. Yep.

Speaker 1 ([01:29:34](#)):

All right.

Brian Priddin ([01:29:34](#)):

That was a one-day.

Speaker 1 ([01:29:34](#)):

And they were underway on Truth?

Brian Priddin ([01:29:36](#)):

Yes.

Speaker 1 ([01:29:37](#)):

Got you.

Brian Priddin ([01:29:37](#)):

So, they followed us out and then we kind of worked within sight of each other, and then when we went back they were behind us, as well.

Speaker 1 ([01:29:46](#)):

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I see. All right. Was that an overnight trip?

Brian Priddin ([01:29:48](#)):

No.

Speaker 1 ([01:29:49](#)):

I see. Great. Ronaldo, do you want to hit anything up before I pass it over to Joe?

Renaldo ([01:29:53](#)):

Yes. Two more questions.

Speaker 1 ([01:29:54](#)):

Great.

Renaldo ([01:29:55](#)):

Do you remember seeing any fuel containers laying around deck or anything like that?

Brian Priddin ([01:30:01](#)):

I don't remember that.

Renaldo ([01:30:02](#)):

No.

PART 3 OF 4 ENDS [01:30:04]

Renaldo ([01:30:02](#)):

... deck or anything?

Brian Priddin ([01:30:02](#)):

I don't remember that, no.

Renaldo ([01:30:03](#)):

What about the dinghy?

Brian Priddin ([01:30:05](#)):

So yeah, that would be the one place I did see a fuel container was in the dinghy itself.

Renaldo ([01:30:09](#)):

In the dinghy?

Brian Priddin ([01:30:09](#)):

Yeah.

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Renaldo ([01:30:09](#)):

Where was the dinghy located?

Brian Priddin ([01:30:12](#)):

So, it was on the stern, well, it would be stowed on the stern. They had a platform, basically, like a swim platform that was winched up, and then it would sit on top of that and then as it came down it would sit there and then we would unhook the lines and basically bring it around to whatever side jerry wanted it on, port or starboard, and it would be hooked there while people were out. That way, if they wanted, the crew, they could step down on the rubber rail to get into it.

Renaldo ([01:30:46](#)):

Do you remember the condition of that dinghy?

Brian Priddin ([01:30:49](#)):

It wasn't new. I mean, we would fill it, but I mean it seemed like it was working.

Renaldo ([01:30:56](#)):

[inaudible 01:30:58].

Brian Priddin ([01:30:57](#)):

Yeah.

Renaldo ([01:30:59](#)):

And one more thing about that grill. That grill was an electric grill, right? That was on the deck?

([01:31:06](#)):

I just can only assume, so I don't remember.

Speaker 1 ([01:31:09](#)):

Did you ever see a propane tank anywhere on board?

Renaldo ([01:31:12](#)):

No, not offhand, no.

Speaker 1 ([01:31:15](#)):

Any other gasoline containers other than on the dinghy?

Renaldo ([01:31:19](#)):

That's the only one that I saw.

Speaker 1 ([01:31:20](#)):

Is there a backup to that portable one? Stowed anywhere?

Renaldo ([01:31:24](#)):

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Not that I know of.

Speaker 1 ([01:31:25](#)):

Okay.

Renaldo ([01:31:25](#)):

Yeah.

Speaker 1 ([01:31:27](#)):

Great. Great. So Joe, are you there, sir?

Joe Johns ([01:31:30](#)):

I'm here. Thank you.

Speaker 1 ([01:31:31](#)):

All righty. Yeah.

Joe Johns ([01:31:33](#)):

Brian, I've just got a few follow up questions here. No particular order, I'm just going to go through my outline and just kind of fire them out at you.

Brian Priddin ([01:31:41](#)):

Okay.

Joe Johns ([01:31:43](#)):

Some of this may be a repeat of what you've already talked about, so I apologize for that.

Brian Priddin ([01:31:47](#)):

No worries.

Joe Johns ([01:31:49](#)):

So with respect to the certificate of inspection on the Conception, you said that you saw it and that you looked at it, I thought you said you read to the bottom of it. Did you look at both sides of the COI or just the face sheet, or the front of it?

Brian Priddin ([01:32:12](#)):

It was just the front because it was in a, not laminated, but plexiglass. It was behind plexiglass, and I read maybe the top half or something like that. I just kind of was curious. I was on board, I was in the wheelhouse, no one was around, I was kind of just looking around. I saw it, and I was just kind of looking at it from that perspective, like, what's the gross tonnage? What's the foot length? That kind of stuff is what I looked at.

Joe Johns ([01:32:38](#)):



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Got it.

Brian Priddin ([01:32:41](#)):

The manning, and then after that, I didn't read through it.

Joe Johns ([01:32:46](#)):

Understood. So when you looked at it and read it, you did not see the roving patrol requirement, right?

Brian Priddin ([01:32:54](#)):

I did not catch that, no.

Joe Johns ([01:32:57](#)):

And nobody with Truth Aquatics, at any point while you worked there, brought that fact to your attention, that the COI required a roving patrol during certain times of the vessel operation?

Brian Priddin ([01:33:12](#)):

That's correct. That was never mentioned. I mean, I do remember talking to the deckhands about my experience and saying it's strange that I've not seen people up. I've never been on board a vessel and not been on watch at night, that somebody's not on an anchor watch. I mean, I've been on larger vessels, so I thought, well, maybe it's just because there were larger vessels, but still it didn't sit right. But I had already decided to quit, really, and that's my last trip. But I remember, I think it was with the deckhands, saying this is kind of weird, why... I don't see people up and I know they're sleeping by this time, so I know they're not up on watch.

Joe Johns ([01:33:55](#)):

Right, and so do you remember who you had that discussion with or who you made that strangeness comment to?

Brian Priddin ([01:34:01](#)):

It would've been Hunter, and then the deckhand who was on in place of Milton. I don't remember his name.

Joe Johns ([01:34:08](#)):

And do you remember what, if any, response they made to your observation?

Brian Priddin ([01:34:18](#)):

I don't remember the responses.

Joe Johns ([01:34:23](#)):

I mean, did they say, "What are you talking about? We always have a roving patrol," or "We always have somebody standing watch."?

Brian Priddin ([01:34:31](#)):

No, nothing like that was said, for sure.

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Joe Johns ([01:34:35](#)):

Okay. So I heard you make a comment along these lines, that this in fact was the first time you'd been aboard a vessel where you didn't have somebody standing watch. Is that accurate?

Brian Priddin ([01:34:53](#)):

Other than a private vessel, any commercial vessel that was on that was in an overnight, yeah, that was the first time I've ever been on without a watch.

Joe Johns ([01:35:04](#)):

Interesting. Okay. All right. Now, I think you've answered this 10 different ways or 10 different times I should say, in the same way, but-

Brian Priddin ([01:35:15](#)):

Yeah.

Joe Johns ([01:35:15](#)):

I just want to go over it again. So at any time between May 26th and June 9th, when you were aboard Truth Aquatics vessels, did anybody discuss with you firefighting procedures, firefighting drills?

Brian Priddin ([01:35:39](#)):

Absolutely not.

Joe Johns ([01:35:42](#)):

Nobody showed you how to energize the fire pump or the fire main?

Brian Priddin ([01:35:48](#)):

That's correct. No one showed me that.

Joe Johns ([01:35:51](#)):

Jerry made the one comment to you that there was a button in the wheelhouse, but he didn't even bother to show you where the button was located, correct?

Brian Priddin ([01:35:58](#)):

That's right, and that was only after I asked him about it.

Speaker 1 ([01:36:01](#)):

And sorry, just to clarify, you did ask on your own, a crew member about the fire hoses and they showed you that? Is that right?

Brian Priddin ([01:36:08](#)):

Yeah, so I did ask about the fire hoses, and Hunter did point them out to me.

Speaker 1 ([01:36:11](#)):

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Okay.

Joe Johns ([01:36:14](#)):

Did anybody teach you, or show you, or explain to you, that the port side fire hose on the main deck, within that compartment, storage compartment, that there was another button that could energize the fire pump?

Brian Priddin ([01:36:33](#)):

No.

Joe Johns ([01:36:34](#)):

Did you know that? Before I asked that question?

Brian Priddin ([01:36:35](#)):

No, I didn't.

Joe Johns ([01:36:38](#)):

Okay. During the short time, the relatively short time that you were aboard working for Truth Aquatics, did you get any sense or observe anything that gave you an understanding as to the level of training that the other deckhands had in firefighting?

Brian Priddin ([01:37:06](#)):

I mean, I didn't know their backgrounds, other than I pretty sure they were... I mean, did ask them, they didn't have credentials. I don't know that they had any training in firefighting. I mean, none that I know of, that's all I can say. We never did a fire drill. I was never asked to be a part of it, I never observed anything like that. They never talked about doing them. That's-

Joe Johns ([01:37:32](#)):

During the time period, okay, fair enough. During the time period that you were there, did you gain any sense or understanding as to the amount of employee or crew turnover that Truth Aquatics experienced about those three vessels, the Truth, the Vision or the Conception? In other words, did it seem like they were always adequately staffed, had plenty of crew members? Or did you get a sense that having adequate crew aboard these vessels was a problem for Truth Aquatics?

Brian Priddin ([01:38:09](#)):

I mean, my impression was that, yeah, there must have been high turnover because their advertisement on the log was for a bunch of positions. And then talking with the crew members, and finding out Hunter's been there six months, and Milton was there maybe a couple months, and then I think Kelly had been there the longest, maybe a year, that it's starting to sound like, and then they are always asking about, other boats were needing people too. So it just sounded... and captain, second captain, those are kind of things you want to keep around.

([01:38:45](#)):

So yeah, I felt like, yeah, there's got to be a lot of turnover going on here. And Matt, [inaudible 01:38:53], sorry, on that four day, Matt, who was the second captain, he told me, just hang in here, kind

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of thing. If you do this second captain for a month or two, you'll probably be able to go take over the Truth because they'll need a captain usually probably within that timeframe, like, within a month they'll need another captain. I don't know his involvement. I know he had worked with the company before, so I don't know where his information came from, or his feeling about that, but he obviously had a relationship with Truth Aquatics for a lot longer than I did, especially at that point.

Joe Johns ([01:39:35](#)):

So based upon the experience that you had, for a number of different companies, aboard a number of different, not just sailboats but also larger small passenger vessels, do you have an opinion as to the level of experience that the Truth Aquatics deckhands had? In other words, did they seem to be, you mentioned that Kelly, who's, of course, a first galley mate aboard the Conception.

Brian Priddin ([01:40:06](#)):

Right.

Joe Johns ([01:40:07](#)):

You mentioned that she seemed to have been there the longest, which was a year. But you've mentioned that other folks, deckhands, had been there for one month, four months. Was that your observation that everybody had literally only a handful of months of experience as deck crew aboard these vessels?

Brian Priddin ([01:40:29](#)):

Yes.

Joe Johns ([01:40:32](#)):

And in your experience, was that unusual? Or do you just have enough of a sense of things to even be able to give us an opinion as to that?

Brian Priddin ([01:40:41](#)):

I mean, I've seen that in other hundred ton vessel, kind of that level, of the boat I ran in Tahoe. Tahoe's not a great place in a lot of ways, especially if you're looking to run licensed people, and it's a party atmosphere up there. So it was similar to that, though I was lucky, and the two crew that I had with me had been there longer on that particular vessel. So in some ways I was feeling okay, there's a lot of turnover, but at 110 level, unlicensed people, this happens. But then again, I mean, I personally don't like working on vessels with unlicensed crew. I know, like at the red and white fleet, and blue and gold down in San Francisco, it's a union job, and they don't have to be a licensed deckhand, it may be they do have to have a ordinary seamen license, but they had to have at least gone through STCW basic, and done crowd control and security. So, I know Milton and Hunter, and it wasn't expected of any deckhand to have done those with Truth Aquatics.

Joe Johns ([01:41:54](#)):

Okay. Were you ever aboard the Conception when Mikey Coles was serving as a second galley mate?

Renaldo ([01:42:06](#)):

Yes. He was always the second galley mate when I was on board.

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Joe Johns ([01:42:12](#)):

Did you ever observe or smell him smoking marijuana aboard the Conception? When it was-

Renaldo ([01:42:18](#)):

I did not.

Joe Johns ([01:42:20](#)):

You did not, okay.

Speaker 1 ([01:42:28](#)):

Brian, did you ever suspect anyone else of any drug use, illegal drug use, on board while you were there?

Brian Priddin ([01:42:34](#)):

No.

Speaker 1 ([01:42:34](#)):

No. Okay.

Joe Johns ([01:42:37](#)):

Brian, how many trips, if any, did you take aboard Truth Aquatics vessels other than the Conception?

Brian Priddin ([01:42:44](#)):

Zero.

Joe Johns ([01:42:46](#)):

Zero.

Brian Priddin ([01:42:47](#)):

Yeah.

Joe Johns ([01:42:48](#)):

Did you serve under any Truth Aquatics captains other than Jerry Boyland?

Brian Priddin ([01:42:54](#)):

No.

Joe Johns ([01:42:57](#)):

Do you have any sense or knowledge as to whether or not the other two Truth Aquatics vessels, the Truth and the Vision, whether or not when they are on multi-day trips, their captains post a roving patrol or require somebody to stand watch at night to sound the alarm for fire, man overboard, or other dangerous situations?

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Brian Priddin ([01:43:30](#)):

I don't know. I don't know what was going on in the other vessels.

Joe Johns ([01:43:30](#)):

At any point when you were at Truth Aquatics, did you ever hear any of the other employees talk about or complain about having to conduct roving patrols or conduct night watches?

Brian Priddin ([01:43:45](#)):

No.

Joe Johns ([01:43:47](#)):

Did you ever see any evidence or hear of any evidence whatsoever that leads you to believe that the other vessels' captains were conducting roving patrols or night watches?

Brian Priddin ([01:43:59](#)):

I mean, I highly doubt it, and I say that because these vessels were booked basically every day for many, many weeks. And as a deckhand, or even as a second captain, basically acting as a glorified deckhand, having to be up at 6:00 AM and not getting to bed till eight or nine o'clock at night, I don't know who would've been able to be a roving night watchman under any circumstances. Because you weren't given, really, breaks. We would get five minutes to eat maybe, after everybody else, they had come up, they ate their lunch, before they're getting ready for their next dive, we would quickly go eat what was left, and then we got to get the tanks ready, so we got to go do that.

([01:44:48](#)):

So when they're diving, and they're doing four or five dives a day on these trips, it was like, you are slammed. The test ship time was the opposite of that, there wasn't a lot going on, but the dive trips, and if you're doing this day after day, I don't know who would've been able to do it. And I don't know whether they did it or not, but I, as a professional mariner would say, who would've been able to stay awake and do that at that point. There was nobody designated to only do that, or not doing part of the day, getting time off so they could be, or anything like that, at least on the Conception that I know of.

Joe Johns ([01:45:26](#)):

So let me ask you this. As a professional mariner, which you have been for quite some time, does the fact that you don't have enough crew, and the crew are tired, is that a legal exception to not comply with a requirement on the certificate of inspection such as a roving patrol?

Brian Priddin ([01:45:44](#)):

Absolutely not.

Joe Johns ([01:45:46](#)):

Okay. So would it be your expectation that if you don't have a sufficient number of crew members to comply with the certificate of inspection, then you need to increase the complement aboard that vessel?

Brian Priddin ([01:46:00](#)):

I would agree with that.

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Joe Johns ([01:46:00](#)):

Okay. Would you-

Brian Priddin ([01:46:05](#)):

Or you'd have to change your operations so you do three dives, and so people could have time off, or something along those lines so people would be able to perform the duties.

Joe Johns ([01:46:19](#)):

Got it. So in other words, in your opinion as a professional mariner, there aren't any excuses or justifications for not complying with passenger and vessel safety requirements. Is that fair?

Brian Priddin ([01:46:38](#)):

I agree with that.

Joe Johns ([01:46:38](#)):

Okay. When you studied for your Merchant Mariner's credential, did you have to become familiar at all with the T-boat regulations for small passenger vessels under 100 gross tons?

Brian Priddin ([01:46:51](#)):

For 100 tons, I think there might have been some questions on it, but I don't remember an emphasis on T-boat questions, per se, for 100 tons. And it would've been a small percentage of what you would have to know in order to pass. You could probably miss every T-boat question and still pass and get your 100 ton. Because it would've been part of like deck safety and that would've been like a 70% to pass.

Joe Johns ([01:47:18](#)):

In your experience aboard vessels, sailboats and vessels like the Truth, the Vision and the Conception, do you view fire as being a danger, presenting a danger for the vessel and the passengers, the crew aboard a vessel?

Brian Priddin ([01:47:34](#)):

Absolutely.

Joe Johns ([01:47:37](#)):

Why?

Brian Priddin ([01:47:39](#)):

You're the only ones there. There's no one to come. It's not like here, you can call the fire department. You are the fire department. You've got to fight it, you've got to put it out yourselves. Avoidance is your best method. Clean, tidy ship, doing the right things, those are your best defense. You're on your own if there's a fire, and there's a lot of dangerous materials on board, it's hard for people to get in and out of some of these areas. So, yeah, it's a very dangerous thing.

Joe Johns ([01:48:16](#)):

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So let me ask you this question again. If during the time period that you served as second captain aboard the Conception, if you had been made aware of the requirement on the certificate of inspection that any time passengers or crew are in the bunk area, or the state room area, whether underway or at anchoring at night, that there must be a roving patrol. If you had been made aware of that provision, and you failed, you knowingly and you intentionally failed to comply with that by ensuring that somebody was posted, would you say that you yourself were inattentive to your duties? Or that you were breaching your duties as a credentialed merchant mariner?

Brian Priddin ([01:49:07](#)):

Yeah, if I had failed. If I had known and failed to do that, yes, then I would've been failing. I would've been responsible for that, yes.

Joe Johns ([01:49:17](#)):

Fair enough, and I don't mean to put it on you, I'm actually trying to understand how we put in context Captain Boylan's attention to duties.

Brian Priddin ([01:49:29](#)):

I understand. Yeah, I mean this was the Jerry Boylan show. I mean, it was his ship and he wasn't sharing responsibility with the second captain or anybody. He was doing it all. That was my impression.

Joe Johns ([01:49:45](#)):

So when you brought to his attention the fact that dumping the sewage holding tank within three miles of the coastline was illegal, did it seem like he was shocked and concerned about that, and had a high level of respect to the law? Or that he was simply going to do whatever was most convenient for him and the vessel?

Brian Priddin ([01:50:10](#)):

I mean, he specifically said it was captain's discretion, and I said, "No, it's not. It's the law." And he said, "Well, you are not to lock that handle anymore, period. End of discussion." So my impression was, the law was up to him to decide to comply with or not.

Joe Johns ([01:50:40](#)):

Did you ever meet Dana Fretzler?

Brian Priddin ([01:50:42](#)):

No.

Joe Johns ([01:50:44](#)):

Are you familiar with what her role at Truth Aquatics is?

Brian Priddin ([01:50:48](#)):

Absolutely not.

Joe Johns ([01:50:49](#)):



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Who do you believe has control and management of the vessel operations at Truth Aquatics? Who, in your opinion, is the highest level person that is responsible for having control and management of the vessel operations at Truth Aquatics?

Brian Priddin ([01:51:12](#)):

I would have to say Glenn Fritzler.

Joe Johns ([01:51:15](#)):

And why would you say that?

Brian Priddin ([01:51:17](#)):

Because he was presented to me as the owner, and he is the only person above Jerry that I met. He made the decision to hire me. He was making decisions about the vessel operations. He was there with this new captain who was on the Truth. I was unaware of anybody else in an admin role other than Glen.

Joe Johns ([01:51:48](#)):

[inaudible 01:51:48] Are you aware? Go ahead, you have something else?

Brian Priddin ([01:51:51](#)):

I was going to say, and Glen told me to call him. He never said if you have issues, call this other person, it was go to Glen directly. So, that-

Joe Johns ([01:51:59](#)):

Got it.

Brian Priddin ([01:52:00](#)):

... that was my only point of contact for anybody above Jerry, was Glenn.

Speaker 1 ([01:52:06](#)):

Hey, Joe.

Joe Johns ([01:52:06](#)):

During the time you worked-

Speaker 1 ([01:52:08](#)):

Hey, Joe, sorry to interrupt. We're at a point right now logistically that if we want to keep trucking for a while, happy to do so. We'll just make that call right now. If not, if it's feasible to conclude within a short time. If not, then we'll keep going as long as we need to.

Joe Johns ([01:52:27](#)):

Can we go for another five minutes?

Speaker 1 ([01:52:28](#)):

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Absolutely, sir.

Joe Johns ([01:52:30](#)):

Okay. Yeah, no, I plan to be done by 2:00 PM, so.

Speaker 1 ([01:52:32](#)):

Okay.

Joe Johns ([01:52:32](#)):

I've just got a couple, few more questions. All right, so during the time, Brian, that you worked at Truth Aquatics, or quite frankly at any time since then, have you become aware or heard any information about other fires, of whatever nature, that have occurred aboard other Truth Aquatics vessels prior to the fatal fire on Labor Day of this year?

Brian Priddin ([01:52:57](#)):

No, never heard of one.

Joe Johns ([01:53:03](#)):

[inaudible 01:53:04]. Have you spoken with, go ahead.

Brian Priddin ([01:53:06](#)):

I was going to say, Jerry had mentioned for safety concerns that they had lost a couple of divers, or left divers behind, so that's why he was very concerned about making sure the names were checked off, but never did he mention any other things, and especially not about a fire.

Joe Johns ([01:53:30](#)):

Okay. Sounds like nobody had discussed with you or told about problems at the personal electronics, sort of charging stations, charging locations?

Brian Priddin ([01:53:40](#)):

Absolutely not, no one mentioned anything about that.

Joe Johns ([01:53:44](#)):

Based on what you saw or observed aboard the Conception during your time there, did you have concerns about the number of personal electronics and dive lights and dive equipment that seemed to be plugged into the various outlets there in the galley salon area?

Brian Priddin ([01:54:03](#)):

I mean, so, I really noticed it that last trip. I'd seen a lot of them, yeah, I was like, okay, that's probably not good, but I never really, honestly, I was so focused on... I was already done and so I didn't really connect anything there, I guess. I mean, it was kind of like, I've seen people do it in other places. I wasn't really focused on that. I was like, okay, this is a bad safety thing. I didn't mention it to anybody. I was thinking of other things I think at that point.

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Joe Johns ([01:54:37](#)):

Fair enough. So if I told you that since the fatal Labor Day fire, that Glenn Fritzler had been making comments to other Truth Aquatics employees that back when he used to captain on the multi-day trips, he would always just stay up all night and stand watch himself because he doesn't sleep well at night. Do you have any sense? How does that statement strike you?

Brian Priddin ([01:55:07](#)):

Well, so I don't know anything about Glen's personal sleeping habits, obviously, but from a professional mariner standpoint, that's not how you do a watch. You don't have somebody stay up just because they can't sleep, you should have multiple people switching off so it can be done correctly. I mean, yeah, that would be a poor way to do it, I'd say, because you got somebody then who's probably pretty tired, and I don't know if they're roving or they're just sitting in the wheelhouse or what they're doing.

Joe Johns ([01:55:41](#)):

Fair enough. At any point, did you become aware of any unauthorized repairs, or modifications, that were being conducted to the electrical systems or propulsion systems or any other key components, systems, aboard any of the Truth Aquatics vessels?

Brian Priddin ([01:56:00](#)):

No, the only one that I know, and it didn't happen while I was there, was that generator was going to get serviced. But that's the only one that I know of. And then-

Joe Johns ([01:56:12](#)):

Again, I know that you were there. Go ahead.

Brian Priddin ([01:56:15](#)):

And then Glen had mentioned, before my first four day, that was his reason for not being able to meet me. He was doing repairs on one of the vessels and I don't know which one, and he was tired or worn out and wasn't able to meet me, didn't feel able to meet me, physically strained himself or something doing that labor, laying down decking, I think, is what he said he was doing. But I don't know which vessel he was referring to.

Joe Johns ([01:56:45](#)):

Okay. And my final question for you, you have a sense of what we are looking at and what our concerns are. Can you think of the names of any other people, whether they are Truth Aquatics employees, they are deckhands, crew members for Truth Aquatics, or even just people in the Santa Barbara Harbor or area, that we should talk to and ask these types of questions of? Is there anybody else that you think would be a good witness for us to help understand what happened on Labor Day of this year?

Brian Priddin ([01:57:18](#)):

The only person I can think of was the scuba instructor at Sea Landing, and I could get his card and get his name and number for you. I mean, I have it in the other room. I don't remember his name offhand, but if that would help. Because he would be on the ship, and I don't know his relationship to Truth, but that's the only person I can think. I wasn't there long, I didn't really make connections with anybody. I

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knew the first names of people, I didn't have their phone numbers. I had Glenn and Jerry's phone number, and that was basically it. And that would be the only other person was that SCUBA instructor.

(01:57:59):

And then there was that company that used them as they were doing the kayak tours, but I don't know anybody on there. I mean, I just was in a meeting with them knowing that they may have some opinion or how they felt because they had been on board, and they had this kind of partnership with Truth.

Joe Johns (01:58:19):

Got it. Well, why don't you provide that to the agents when we finish up the digital audio recording, and you can do that offline.

Brian Priddin (01:58:30):

Will do.

Joe Johns (01:58:31):

Folks, that's all the questions I have. Mr. Pritt, I'm very grateful that you took the time to meet with the agents and to talk with us and discuss a tough situation.

Brian Priddin (01:58:41):

Sure thing.

Joe Johns (01:58:41):

I would encourage you, if there's anything that you can think of that you would think would be helpful, if something jogs, loosens your memory, please reach out to either Himay or Rendado, and provide that information directly to them, okay?

Brian Priddin (01:58:57):

I will do that.

Joe Johns (01:58:59):

All right, thank you everybody.

Speaker 1 (01:59:01):

Yes, sir.

Joe Johns (01:59:01):

Unless you have anything further for me, I'm going to go ahead and terminate the call from my end.

Speaker 1 (01:59:06):

Great, Joe, thanks so much.

Brian Priddin (01:59:08):

Thank you, sir.

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Renaldo ([01:59:09](#)):

Bye bye.

Joe Johns ([01:59:09](#)):

Yes, thank you. Bye.

Speaker 1 ([01:59:14](#)):

Anything else, sir? Anything else you'd like us to know before we go offline here and get that data from you?

Brian Priddin ([01:59:20](#)):

It's the only thing I can think of.

Speaker 1 ([01:59:22](#)):

Well, thank you, sir. It's approximately 1500 now, 26 September 2019, securing recording.

PART 4 OF 4 ENDS [01:59:28]

# **EXHIBIT E**

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Denise ([00:00:00](#)):

Okay, good afternoon. Today is October 23rd, time is 1:16. We are here interviewing Taylor Fitts. Right? Date of birth 10/2/1990, regarding the Conception boat fire case number 19090001720. Okay. [inaudible 00:00:22] right there just so it hears you really well.

Speaker 1 ([00:00:25](#)):

I guess what we're going to do, we're going to just, like we talked about earlier, talk about a little bit of your past, how you came to be credentialed, your history with Truth, and frankly any other information you think that might be helpful to us in trying to piece the puzzle together a little bit here, and then understand a little better what happened.

([00:00:51](#)):

I'll be asking questions. Denise will ask questions obviously. And feel free if you want, and we'll take a break. Obviously the doors are all open here and we can stop at any time. Any question that we ask and if you just flat out don't want to answer, just tell us you decline to answer that.

Taylor Fitts ([00:01:08](#)):

Okay.

Speaker 1 ([00:01:09](#)):

Anything else on that?

Denise ([00:01:10](#)):

Nope, I think that's it.

Speaker 1 ([00:01:12](#)):

Great. I guess, could you tell us, Taylor, your path to becoming a credentialed mariner?

Taylor Fitts ([00:01:19](#)):

Yeah. When I got out of school, I went and worked on a tall ship out of Long Beach called the American Pride, and I worked there for about a year full-time. Lived on the boat, took school groups out to Catalina Island. And yeah, I think that was just about a year. I was 17, 18 at the time, so I could accrue my days at that point.

([00:01:48](#)):

And then I got scuba certified, came back up here, this is where I grew up, and started work on the Conception. But it was October or so, so it was towards the end of their season. I worked some maintenance, then I worked a full season there, and then I worked another season on the Truth. I think I got my captain's license after two or three years of working on those.

Speaker 1 ([00:02:30](#)):

Okay. And about what year do you think you got your license? Do you recall?

Taylor Fitts ([00:02:33](#)):

Probably 2011 or '12.

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Speaker 1 ([00:02:38](#)):

Okay.

Taylor Fitts ([00:02:40](#)):

Yeah. I'm trying to recount.

Speaker 1 ([00:02:41](#)):

That's fine. Roundabout then.

Taylor Fitts ([00:02:43](#)):

Yeah.

Speaker 1 ([00:02:44](#)):

Tell us about your start of employment with Truth Aquatics and basically how that happened. Did you reach out to them, did they reach out to you? How does that work?

Taylor Fitts ([00:02:55](#)):

Well, I grew up with Glen Fritzler's son, Austin. We went to elementary school together. Our families became family friends, and we've actually gone on ... They actually, when we were really young, there's pictures of me probably fourth, fifth grade, on those boats.

Speaker 1 ([00:03:17](#)):

Oh, wow.

Taylor Fitts ([00:03:19](#)):

Glen would take his family and all their family friends out. Usually on the Conception was his favorite boat, I think. And he would take us out and we would do a Thanksgiving three-day trip out there.

Speaker 1 ([00:03:36](#)):

Right.

Taylor Fitts ([00:03:36](#)):

Yeah.

Speaker 1 ([00:03:37](#)):

Very cool.

Taylor Fitts ([00:03:38](#)):

That was when I was young. And sorry if I'm digressing, I'm just trying to-

Denise ([00:03:43](#)):

That's okay.



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Taylor Fitts ([00:03:43](#)):

... paint the picture.

Speaker 1 ([00:03:44](#)):

It's fine.

Taylor Fitts ([00:03:47](#)):

So I grew up having fun on those boats, both couple times a year we'd get to go out with family, or. But when I got out of school I wasn't 18 yet, which I think you had to be to work on those boats and I went and worked on another boat. Had a great time, learned a lot of stuff there. And then I got scuba certified and wanted to come up and work here. So there was a position open and I wanted to do it-

Speaker 1 ([00:04:16](#)):

Gotcha.

Taylor Fitts ([00:04:18](#)):

... and so got it, and yeah.

Speaker 1 ([00:04:23](#)):

And what position was that?

Taylor Fitts ([00:04:24](#)):

Just deckhand-

Speaker 1 ([00:04:25](#)):

Deckhand.

Taylor Fitts ([00:04:26](#)):

... on the Conception. Yeah.

Speaker 1 ([00:04:27](#)):

And who actually hired you, I guess, how was that officially done?

Taylor Fitts ([00:04:34](#)):

Probably Jerry Boylan hired me.

Speaker 1 ([00:04:39](#)):

Why do you say probably?

Taylor Fitts ([00:04:40](#)):

Well, you'd do a trip out and if you were a good fit you'd get the job, and then they'd proceed to fill you in on everything else.

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Speaker 1 ([00:04:54](#)):

I guess, who did you hear it from? Jerry or did someone in a management position tell you you were officially hired? How does that work?

Taylor Fitts ([00:05:05](#)):

I mean, I don't know who officially told me. It was just, it had been planned and I had come up and I worked a trip. And as long as everything went smooth, and it was like I had the position because I had already been on those boats all growing up.

Speaker 1 ([00:05:27](#)):

Sure, yeah.

Taylor Fitts ([00:05:30](#)):

But I assume Jerry would be the one to say, "Yeah, I'm happy to have him as crew." Maybe Glen handed me the handbook of the company and all that.

Speaker 1 ([00:05:42](#)):

Gotcha.

Taylor Fitts ([00:05:42](#)):

Either Glen or Jerry. Yeah.

Speaker 1 ([00:05:44](#)):

Okay. So there's not really one moment where they were like, "Hey, you're officially hired." You don't recall that?

Taylor Fitts ([00:05:49](#)):

No. I don't that.

Speaker 1 ([00:05:51](#)):

What was that book you were talking about, they handed you a book?

Taylor Fitts ([00:05:55](#)):

Yeah, there's a Truth Aquatics handbook, I think it's called. I mean it's probably deep in some paperwork, but it's a-

Speaker 1 ([00:06:02](#)):

As in you may have it still or what do you mean?

Taylor Fitts ([00:06:06](#)):

I may have it somewhere at home, yeah, but it'd be deep.

Speaker 1 ([00:06:11](#)):

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Gotcha.

Taylor Fitts ([00:06:11](#)):

But yeah, it's just probably the mission statement and then how you're expected to dress and what your role is. And then safety procedures and a write out about how to do certain operations and stuff.

Speaker 1 ([00:06:30](#)):

Gotcha. And you worked your way up to what level again in the company?

Taylor Fitts ([00:06:35](#)):

Second captain.

Speaker 1 ([00:06:37](#)):

Gotcha. Did you ever hire anyone yourself?

Taylor Fitts ([00:06:44](#)):

No. I worked one trip as captain of the Truth. It was just a one-day Navy trip.

Speaker 1 ([00:06:53](#)):

Gotcha.

Taylor Fitts ([00:06:53](#)):

When I was second captain of the Truth, I would say it's the captain who in the end did the hiring but we were ... Obviously you want the whole crew to agree on who's a good fit.

Speaker 1 ([00:07:08](#)):

Gotcha.

Taylor Fitts ([00:07:08](#)):

But I wouldn't say I did the hiring process myself.

Speaker 1 ([00:07:13](#)):

Okay. On the Truth, is it correct to say that's where you did the bulk of your work, on the Truth?

Taylor Fitts ([00:07:20](#)):

Yeah, yeah.

Speaker 1 ([00:07:21](#)):

All right.

Taylor Fitts ([00:07:22](#)):

I worked one full season there, from February probably until the next November or so.

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Speaker 1 ([00:07:30](#)):

Alrighty. On the Truth, thinking back to this summer, like June, did you do trips in June on the Truth, like early June?

Taylor Fitts ([00:07:43](#)):

I can't recall specifically, but I wouldn't doubt it. June, July, I could probably look back in texts and tell you exactly.

Speaker 1 ([00:07:51](#)):

Alrighty. Would Glen come out and do training trips, like you're saying, kind of orientation for new guys? Do you recall things like that happening?

Taylor Fitts ([00:08:03](#)):

Yeah, when I worked there full-time we had a firefighter chief or captain. He'd come down and do CPR and talk about fire safety and how to utilize the tools we had on board, and also first aid and how to administer oxygen. As a fill-in, they wouldn't hire somebody to come down and tell me every time obviously, but.

Speaker 1 ([00:08:35](#)):

You mean, tell you about the training or what do you mean?

Taylor Fitts ([00:08:37](#)):

Oh yeah, so that training was when I was full-time, which was 10 years ago. The full-time crew, as far as I know, always gets their first aid and CPR.

Speaker 1 ([00:08:49](#)):

Okay, gotcha.

Taylor Fitts ([00:08:49](#)):

And yeah, we'd have a day down on the boat where ... I'm trying to remember his name, but he was a local firefighter. He came down and walked us through a lot of stuff.

Speaker 1 ([00:09:01](#)):

Gotcha. What'd you have, Denise?

Denise ([00:09:01](#)):

Exactly that.

Speaker 1 ([00:09:01](#)):

Oh, gotcha.

Denise ([00:09:01](#)):

Who gave the training?

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Speaker 1 ([00:09:06](#)):

Just a local firefighter? Did he give you certificates, a card?

Taylor Fitts ([00:09:09](#)):

Yeah. At the time, I think it was the CPR training and first aid was all done in one. And we also did a boat-specific, like how things applied to the boat we were working on. And that was the whole crew of Truth Aquatics would all come to one day.

Speaker 1 ([00:09:35](#)):

Gotcha. And that was mostly-

Denise ([00:09:36](#)):

Part-time and full-time? They would all come, or just the full-time employees?

Taylor Fitts ([00:09:41](#)):

The full-time crew at that time.

Speaker 1 ([00:09:43](#)):

Gotcha.

Taylor Fitts ([00:09:44](#)):

And that was 10 years ago, so they may do something different now, or I don't ...

Speaker 1 ([00:09:49](#)):

Just so we're tracking with your timeline, I want to be sure that we're capturing as best we can your timeline as an employee for them.

Taylor Fitts ([00:09:58](#)):

Correct.

Speaker 1 ([00:09:59](#)):

So you said you used to be full-time, right?

Taylor Fitts ([00:10:02](#)):

I was full-time for two seasons, one on the Conception and one on the Truth.

Speaker 1 ([00:10:09](#)):

Now, was that the beginning of your employment?

Taylor Fitts ([00:10:12](#)):

Yeah.

Speaker 1 ([00:10:12](#)):

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Because I remember you said you were a deckhand before, right?

Taylor Fitts ([00:10:15](#)):

Yeah, I was a deckhand for one season.

Speaker 1 ([00:10:18](#)):

And what year did you start being a deckhand?

Taylor Fitts ([00:10:21](#)):

Probably 2009.

Speaker 1 ([00:10:24](#)):

Okay.

Taylor Fitts ([00:10:26](#)):

And then I worked for a year, and then maybe a little bit more. And from the time I had on the tall ship and the Conception I was able to get my license, but then I didn't work right away with my license I think. And maybe a year had passed, and then I worked on the Truth as second captain for a season, which was probably February, March to November.

Denise ([00:11:03](#)):

Of '11?

Taylor Fitts ([00:11:07](#)):

2011 probably. Yeah.

Denise ([00:11:13](#)):

No, that's 2009. '10, '11 maybe?

Taylor Fitts ([00:11:15](#)):

Yeah. I mean, I could figure out if I look way back at pay stubs and stuff.

Speaker 1 ([00:11:18](#)):

Yeah, we just want to be able to summarize as best we can.

Taylor Fitts ([00:11:21](#)):

Right.

Speaker 1 ([00:11:22](#)):

Okay, Taylor worked from this date to this date, more or less. You [inaudible 00:11:27].

Taylor Fitts ([00:11:27](#)):

Right. Yeah, if I could summarize it as best I can, but without ...

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Speaker 1 ([00:11:32](#)):

No, go ahead.

Taylor Fitts ([00:11:35](#)):

I might have dates a little bit wrong.

Speaker 1 ([00:11:36](#)):

Yeah, go ahead.

Taylor Fitts ([00:11:36](#)):

I think I started in 2009. Let me line it up with my age. Yeah, I think started in 2009, worked the 2010 summer season, and then I took a year off pretty much from that company.

Speaker 1 ([00:12:00](#)):

Truth?

Taylor Fitts ([00:12:01](#)):

Yeah. And I went and traveled and then ... That would've been 2011. So I think 2012 season was maybe my Truth season, the summer. And then ever since then I've lived in Australia and traveled and worked a lot of different jobs. And it's just every time I come into town, if somebody needs a fill-in, because they work a long season pretty consistently out there, I've been available at times to fill in.

Speaker 1 ([00:12:43](#)):

Are we saying that the end of your, so to speak, full-time employment was in 2012, and then since then you've been sporadic?

Taylor Fitts ([00:12:51](#)):

Yes.

Speaker 1 ([00:12:52](#)):

Okay, gotcha. How about this, in the last year, how many trips would you say you've done?

Taylor Fitts ([00:13:01](#)):

Maybe four, five.

Speaker 1 ([00:13:04](#)):

Okay. And on which ships?

Taylor Fitts ([00:13:07](#)):

One on the Conception, I think a couple on the Truth, and one on the Vision. I mean, I should have pinned things down if I knew this was coming.

Speaker 1 ([00:13:19](#)):

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That's fine.

Taylor Fitts ([00:13:19](#)):

I could tell you exactly, but that's-

Speaker 1 ([00:13:23](#)):

That's all right. I think we got that captured more or less.

Denise ([00:13:26](#)):

When you say trips, does that automatically indicate overnight trips or are those day trips or?

Taylor Fitts ([00:13:31](#)):

No, they can be day trips. Like the one I did on the Conception I think was just a one-day trip. And then the Truth, I did a Sierra Club trip.

Denise ([00:13:42](#)):

What's that?

Taylor Fitts ([00:13:45](#)):

Sierra Club, they're a hiking group. They like to go out there and get on the islands and go for hikes.

Speaker 1 ([00:13:51](#)):

Gotcha.

Taylor Fitts ([00:13:52](#)):

And then on the Vision, I did a multi-day diving trip.

Denise ([00:13:59](#)):

Okay, that's [inaudible 00:14:00].

Speaker 1 ([00:14:02](#)):

Okay. So back to this summer, were you here in June, early June?

Taylor Fitts ([00:14:07](#)):

Yes.

Speaker 1 ([00:14:08](#)):

Do you recall ... I guess, how do I ... Let's see here. I'm trying to get my thoughts organized. You did say that Jerry would, sorry, Glen would train or break in, or I've heard it worded 10 different ways, just see if somebody's suitable, right?

Taylor Fitts ([00:14:30](#)):

Yeah.



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Speaker 1 ([00:14:32](#)):

Do you know if he did any of that this summer around June? Did he take anybody out on any of the boats that was a potential second captain or captain?

Taylor Fitts ([00:14:42](#)):

Yeah, I know he did it with Craig, who became captain of the Truth. He went out with him, and so did a lot of other former first captains.

Speaker 1 ([00:14:57](#)):

And what's Craig's last name?

Taylor Fitts ([00:15:00](#)):

I don't know.

Speaker 1 ([00:15:01](#)):

If you need to look in your phone or to jog your memory, that's totally fine, you can do that.

Taylor Fitts ([00:15:05](#)):

Yeah, I just have him down as Captain Craig. I honestly don't know his last name.

Speaker 1 ([00:15:11](#)):

So he took Craig out at least once that you can recall to [inaudible 00:15:15]?

Taylor Fitts ([00:15:14](#)):

Well, I know Craig was a first captain in training and I know Glen did trips with him, as well as other former first captains, to get Craig trained up.

Speaker 1 ([00:15:26](#)):

And do you know what other captains did the trips with him?

Taylor Fitts ([00:15:32](#)):

I can't say for sure.

Speaker 1 ([00:15:33](#)):

Okay.

Taylor Fitts ([00:15:34](#)):

It's just because I wasn't working over there, around there much, but my sister worked there so I just heard through the grapevine. Oh, yeah. Maybe Tommy Campanelli and Graham Ashlock worked trips with Craig. Yeah.

Speaker 1 ([00:15:52](#)):

And your sister, she worked primarily on what boat?

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Taylor Fitts ([00:15:56](#)):

Well, she worked in the office, not on a boat-

Speaker 1 ([00:15:59](#)):

Oh, gotcha.

Taylor Fitts ([00:16:00](#)):

... for the majority of the summer. And then I think maybe just the month of August or so she started working galley-

Speaker 1 ([00:16:08](#)):

Gotcha.

Taylor Fitts ([00:16:09](#)):

... on the Truth.

Speaker 1 ([00:16:10](#)):

Those trips that Glen made, testing out the guys, were those overnight trips ever?

Taylor Fitts ([00:16:20](#)):

I assume. Yeah, but I can't say for sure. I'm sure there was.

Speaker 1 ([00:16:29](#)):

Would they have passengers on those trips?

Taylor Fitts ([00:16:34](#)):

Yeah.

Speaker 1 ([00:16:34](#)):

Okay. So it'd be like a normal trip, but somebody who's been-

Taylor Fitts ([00:16:38](#)):

But you'd have an experienced first captain like Glen or Tommy running as first captain, and then Craig would probably be second captain because he is plenty qualified with that. He's got the license and been on boats for a long time.

Speaker 1 ([00:16:55](#)):

Gotcha, gotcha.

Taylor Fitts ([00:16:55](#)):

And they were teaching him how to take the next step.

Speaker 1 ([00:17:03](#)):

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Sure. Okay, great.

Taylor Fitts ([00:17:03](#)):

Yeah. That's my impression of what happened-

Speaker 1 ([00:17:06](#)):

That's fine. Perfect.

Taylor Fitts ([00:17:06](#)):

... at the beginning of the summer, but I wasn't there.

Speaker 1 ([00:17:08](#)):

Perfect. Back to what we were talking about a little earlier about you getting hired and all that and what that looks like. Obviously everyone who was going to get their Merchant Mariner credential, master's license and all that, they have to go through certain training that's expected. And you did all that obviously to get your license.

([00:17:29](#)):

What, if anything at all, other than the first aid, was the training regiment? Or did it exist, did it not exist? Was there some stuff, was there-

Taylor Fitts ([00:17:39](#)):

Yeah, so-

Speaker 1 ([00:17:41](#)):

So what did Truth basically train you on, or what did they expect you to know or you to have the crew proficient? And just give us what your feel and memory was about what training was with Truth Aquatics.

Taylor Fitts ([00:17:55](#)):

Right. The first trip is, they call it a deadhead, and that's the one where you see if you're a good fit for the job. Because some people think, "Oh, I want to work on a dive boat. It sounds like a dream, being out the islands." Then they get out there and they get seasick and the wind's blowing on them for 12 hours a day and they don't want to do it. So a deadhead trip was like, "Do I want to do this? Am I going to fit?"

Speaker 1 ([00:18:24](#)):

Sure.

Taylor Fitts ([00:18:26](#)):

And during that trip you don't really take on any responsibility. Then once it was like, "Okay, I'm going to do this ..." Apart from, like you said, the first aid and that aspect, which was done in a training day, I mean, you get trained on that right away when you're on the boat.

Speaker 1 ([00:18:48](#)):

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Trained on what?

Taylor Fitts ([00:18:51](#)):

First aid and fire safety, how to operate bilge pumps and the basic safety knowledge of the boat.

Speaker 1 ([00:19:01](#)):

So you know because you were there, but I don't know. So when you say we got trained, what does that look like? What does that mean? Who did it?

Taylor Fitts ([00:19:09](#)):

Well, when I first started working there, I can't recall perfectly from memory, but I know I learned that stuff from somebody. I imagine it was Jerry going around the boat.

Speaker 1 ([00:19:26](#)):

Okay. Let's try to make it more specific then. On any of the Truth vessels at any time, do you remember doing a fire drill to where you pulled the hoses all the way out, turned them on ever?

Taylor Fitts ([00:19:39](#)):

Yeah. Yeah. We would actually pull them out to wash the boat down sometimes. And every night, during the engine room check, we would run the fire pump as part of the engine room check.

Denise ([00:19:51](#)):

Who does that? The captain or the second captain or the deckhand?

Taylor Fitts ([00:19:54](#)):

It varies. The deckhands or the second captains.

Denise ([00:19:58](#)):

And how is that tractor monitored, or?

Taylor Fitts ([00:20:02](#)):

They have a engine room checklist log that'll say, "Engine main oil, transmission," go through the engine stuff. And then, "Percentage of water, fuel percentage." And one of those things on the list is fire pump. "Did you run the fire pump?" Yeah.

Speaker 1 ([00:20:22](#)):

And what did that mean? You'd turn on the fire pump and then what?

Taylor Fitts ([00:20:25](#)):

Yeah, you'd turn on the fire pump. Let's see. I think you would adjust the ball valve so that it would just go straight overboard instead of up through the hose, if you're doing a check at night. So it wasn't rolled out every night.

Speaker 1 ([00:20:46](#)):

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Yeah, sure.

Taylor Fitts ([00:20:46](#)):

But sometimes we did use the fire hose to do the deck down, hose down the deck.

Speaker 1 ([00:20:54](#)):

With seawater?

Taylor Fitts ([00:20:55](#)):

Yeah.

Speaker 1 ([00:20:57](#)):

Wasn't a concern for you guys, ever hosing down with seawater? What do you mean? When you would secure from a trip, you would hose down with seawater?

Taylor Fitts ([00:21:04](#)):

Yeah. Sometimes, yeah. Especially I think when we were in a heavy drought, which I wasn't working full-time at that time, but I know somebody from the city came down and said, "Hey, can you guys use seawater instead of freshwater?" So they started using fire hoses.

Speaker 1 ([00:21:21](#)):

Okay. So just to be very specific on that topic, Taylor, what I asked was did you ever take the hoses out all the way and let's say actually fill them with water for the purpose of a fire drill? Not to wash down the boat.

Taylor Fitts ([00:21:38](#)):

Yeah.

Speaker 1 ([00:21:39](#)):

Yes?

Taylor Fitts ([00:21:39](#)):

Yeah.

Speaker 1 ([00:21:40](#)):

How often, on which boat, how many times?

Taylor Fitts ([00:21:43](#)):

I can't remember how often. I know I've done it on the Truth and on the Conception because I worked on-

Denise ([00:21:51](#)):

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Is it something you only did once, once you were hired, or is that something that they did on a routine basis every four months, every trip, every-

Taylor Fitts ([00:22:01](#)):

Not every trip. I can't recall how frequent.

Speaker 1 ([00:22:04](#)):

Okay. Were you ever around for the COI inspection, when the Coast Guard would come around and do that?

Taylor Fitts ([00:22:10](#)):

Yeah. On the Conception I was.

Speaker 1 ([00:22:13](#)):

Do you remember what year?

Taylor Fitts ([00:22:16](#)):

Probably 2010.

Speaker 1 ([00:22:18](#)):

Okay. So if you don't mind just help me understand this, and maybe even you thinking back to it, it might clear it up, do you think that perhaps your memory of pulling out those fire hoses was during that inspection from the Coast Guard?

Taylor Fitts ([00:22:37](#)):

It very well could have been. Yeah.

Speaker 1 ([00:22:41](#)):

Do you remember ever pulling them out, say, you're anchored off wherever people are diving, doing their thing. And you guys said, "Hey, let's do a fire drill." Take out all the hoses, open valves.

Taylor Fitts ([00:22:56](#)):

No.

Speaker 1 ([00:22:56](#)):

Turn on the fire pump.

Taylor Fitts ([00:22:57](#)):

We would never do it when people are diving because we have our hands-

PART 1 OF 4 ENDS [00:23:04]

Taylor Fitts ([00:23:03](#)):

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Driving, because we have our hands full watching the divers.

Speaker 1 ([00:23:05](#)):

So, in that case then, anytime away from the dock where you wouldn't be inspected by the Coast Guard, do you remember ever doing a full on fire drill away from the dock?

Taylor Fitts ([00:23:19](#)):

I can't recall specifically.

Speaker 1 ([00:23:22](#)):

Okay.

Taylor Fitts ([00:23:23](#)):

But the captain, Jerry, is... I imagine that we did, because it was very stern, regimented. Safety was top deal for him.

Speaker 1 ([00:23:35](#)):

Sure. And what kind of safety was top deal for him?

Taylor Fitts ([00:23:43](#)):

When he gave the briefings in the morning, so he is real stern. He's kind of, I mean, I don't know if you guys have interacted with him.

Denise ([00:23:51](#)):

No, not me.

Taylor Fitts ([00:23:52](#)):

But he's very serious. And that would regard in across the board to dive safety as well, because diving's inherently dangerous. He wanted people to be aware, talk about the ladders going up and down then, make sure you face them. And he'd go over the emergency hatch. He'd go over-

Speaker 1 ([00:24:26](#)):

And what would be discussed for the emergency hatch?

Taylor Fitts ([00:24:28](#)):

Oh, he'd just show them where it is and say, "Don't set stuff on there."

Speaker 1 ([00:24:34](#)):

What stuff ever set on there?

Taylor Fitts ([00:24:37](#)):

Not that I remember. I think there was a big sign on it that says, "Don't set stuff here."

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Speaker 1 ([00:24:44](#)):

Do you ever recall, in any of those safety briefs through the years that you were on there, where one of you guys or any of the crew members actually pulled the hatch open and said, "Hey, here's how you get out of here. You're going to have to scurry up these bunks, these racks, get up in there," do you recall that ever being made?

Taylor Fitts ([00:25:03](#)):

I don't recall doing that, an example of that.

Speaker 1 ([00:25:08](#)):

Gotcha. What else was discussed? Well, I guess, yeah, in general, what would you say the emphasis of the safety brief was, dive safety or shipboard safety, as in fire, flooding?

Taylor Fitts ([00:25:21](#)):

I would say it was pretty much split right down the middle. You'd address the lifesaving equipment and a lot of the boat safety stuff, how to safely walk around the boat, where the lifesaving equipment, and what to do in case of any disaster. And then, you would move on to diving, because it usually end on like, "Okay, this is the dive site we're on." And the diving would entail, "If the current picks up, we'll have a current line out there. There's a safety diver always suited up ready to come get you if you're in trouble."

Speaker 1 ([00:26:04](#)):

Gotcha. Were fire extinguishers' location ever discussed on that safety brief?

Taylor Fitts ([00:26:10](#)):

I'm pretty sure, but I can't remember the thing like I used to. I used to take part in giving it.

Speaker 1 ([00:26:18](#)):

Gotcha.

Taylor Fitts ([00:26:18](#)):

But it was 10 years ago.

Speaker 1 ([00:26:21](#)):

So, back to the drills. I think, just to recap, you were saying if, let me understand if I'm capturing you correctly, that to your recollection you do not recall ever specifically doing a full-blown, and I know you didn't use that word, but basically take everything out, turn everything on, everybody man your stations type of a fire drill while away from the pier. You don't recall that.

Taylor Fitts ([00:26:45](#)):

I don't recall doing that.

Speaker 1 ([00:26:46](#)):

Okay, great.



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Taylor Fitts ([00:26:47](#)):

Besides maybe the COI.

Speaker 1 ([00:26:49](#)):

Which was dockside, right?

Taylor Fitts ([00:26:51](#)):

Well, no, they make us go out for that, do man overboard drill.

Speaker 1 ([00:26:54](#)):

Oh, I'm sorry. You're right. Yeah, they go out. So, the times you do recall doing them was probably during the COI, is that fair?

Taylor Fitts ([00:27:02](#)):

Yeah, as far as being away from the dock. And then, I know we'd go over it at the dock.

Speaker 1 ([00:27:07](#)):

Gotcha.

Taylor Fitts ([00:27:07](#)):

Usually, whenever there was a new crew member, you would go over things with them and show them how it all worked.

Speaker 1 ([00:27:14](#)):

Sure. So, was that because your initial packet told you to do that? Or is that because the particular, let's say Jerry, or Tom, or Dave, or whoever was the captain, would they train because the captains wanted to train or because the company said, "Hey, every three months you got to do this, this, and this"? So, how did it work? Who was directing the training that was happening?

Taylor Fitts ([00:27:41](#)):

I couldn't say for sure. You just do what the captain says.

Speaker 1 ([00:27:46](#)):

Gotcha.

Taylor Fitts ([00:27:47](#)):

But I'm sure it's in the handbook. And-

Speaker 1 ([00:27:52](#)):

Is that-

Taylor Fitts ([00:27:52](#)):

... it also just seems like common sense.

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Speaker 1 ([00:27:54](#)):

Right.

Taylor Fitts ([00:27:55](#)):

You got a new crew member on, you want them to know what's going on in case this scenario arises.

Speaker 1 ([00:28:00](#)):

Was that the loss control program? Is that your recall hearing that?

Taylor Fitts ([00:28:04](#)):

I don't-

Speaker 1 ([00:28:04](#)):

Like emergency procedures type?

Taylor Fitts ([00:28:09](#)):

Yeah, I couldn't put a name to it.

Speaker 1 ([00:28:11](#)):

That's fine.

Taylor Fitts ([00:28:11](#)):

Yeah.

Speaker 1 ([00:28:11](#)):

That's fine.

Denise ([00:28:12](#)):

You were a second captain, correct? For-

Speaker 1 ([00:28:14](#)):

Yeah.

Denise ([00:28:14](#)):

... at least a year.

Speaker 1 ([00:28:14](#)):

Yeah.

Denise ([00:28:17](#)):

Do you recall what your job was or your assignment as far as there was a fire on board?

Taylor Fitts ([00:28:24](#)):

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Yeah. Well, whoever saw it first, the first thing was always the passengers. And-

Speaker 1 ([00:28:33](#)):

What do you mean first thing?

Taylor Fitts ([00:28:35](#)):

Well, you want to get... I mean, I can't remember for sure. I can tell you what, from my knowledge now, I would do.

Denise ([00:28:46](#)):

Tell me. I mean, because that's going to come from training in the back of your head. So tell me, what would you, as a second captain, be responsible for?

Taylor Fitts ([00:28:53](#)):

Whoever witnesses it first, and it depends where you are on the boat, but alert others right away. If I were closer to the passengers, I would organize them and mostly out on the back deck, depending on where the fire is, but outside or up forward on the bow, and alert the captain as soon as you can. You'd alert the passengers, alert the other crew and the captain as soon as you can.

([00:29:25](#)):

I've always thought of it as it's situational where your crew is, but somebody's managing the passengers, get them out of harm's way. And then, someone would then do the fuel shutoffs and put the... This is if it's coming from the engine room I suppose, put the foam blocks that block the vents, and then proceed to the fire hose if that's necessary, or the fire extinguishers. It depends where the fire is.

Speaker 1 ([00:30:03](#)):

That's right.

Denise ([00:30:03](#)):

How is that engaged, do you recall?

Taylor Fitts ([00:30:06](#)):

Well, if it's in the engine room, you can set that off manually, the CO2 suppression system, or it has sensors that, if it gets hot enough, it goes off automatically.

Speaker 1 ([00:30:18](#)):

Gotcha.

Taylor Fitts ([00:30:19](#)):

It's my understanding of it. And so, that's, in that case, if it's in the engine room, is when you do the fuel shut off and put the blocks on as soon as you get passengers in a safe place, because that suppression system's going to go off most likely.

Speaker 1 ([00:30:37](#)):

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Sure.

Taylor Fitts ([00:30:37](#)):

If it's somewhere else, passengers in a safe place, alert everybody, tackle it with your equipment that you have, being the fire hose or fire extinguishers.

Speaker 1 ([00:30:49](#)):

Gotcha. So, all those steps, they sound pretty good to me. I would agree those are good steps. Did you ever read those steps? Were you ever trained on those steps from Truth Aquatics or from Glen?

Taylor Fitts ([00:31:04](#)):

Yeah, I read the handbook through and through because I took the job super seriously. I was really young at the time and just wanted to soak it all up. Because, the first trip we did was out to Cortes Bank and the waves were rolling. It was just a total experience for me. And it made me be like, "Okay, I got to know what's going on here." So, I know I read the handbook, but I can't recall specifics about it now. That was 10 years ago.

Speaker 1 ([00:31:47](#)):

Sure. I hear you. And were those emergency procedures outlined in that handbook to your memory? Or do you not recall? Do you have any sort of recollection-

Taylor Fitts ([00:31:56](#)):

I can't recall for sure, but I'm fairly certain they outlined a lot of things.

Speaker 1 ([00:32:03](#)):

Gotcha.

Taylor Fitts ([00:32:04](#)):

How to launch the skiff in and out of surf and-

Speaker 1 ([00:32:07](#)):

Sure. Do you recall, still on this training topic, do you recall ever doing a man overboard without the Coast Guard present, as in a coordinated drill from the captain saying, "All right-"

Taylor Fitts ([00:32:18](#)):

Yeah.

Speaker 1 ([00:32:20](#)):

"... deck hands, we're going to do a man overboard drill," do you recall that ever happening?

Taylor Fitts ([00:32:24](#)):

Yeah, I think we would practiced that, particularly leading up to Coast Guard, because you never know if they're going to take you out or not.

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Speaker 1 ([00:32:36](#)):

And who decided when or how those were done?

Taylor Fitts ([00:32:41](#)):

Like I said, I would just do what the captain said. And I assumed he was making the decisions, but it also could have been someone in the office saying, "Hey, it's time to do these drills," but I don't really know.

Speaker 1 ([00:32:52](#)):

And what would make you think that someone from the office could be directing it? What gives you that impression or why would you say that?

Taylor Fitts ([00:32:59](#)):

Well, I don't know the sequence of where the orders came from at that time. To me, top boss was the captain. So, I don't know what he kept track of and what was kept track of in the office or-

Speaker 1 ([00:33:16](#)):

Did you ever receive, from Glenn directly, any specific training on firefighting, man overboard, flooding?

Taylor Fitts ([00:33:27](#)):

I mean, I can't recall a particular scenario, but I've learned a lot from him. My maritime career-

Denise ([00:33:36](#)):

Since you were a kid?

Taylor Fitts ([00:33:36](#)):

Yeah, since I was young. So, I'm sure I've learned a lot of things all around from him about boats, and I'm sure that was part of it.

Speaker 1 ([00:33:47](#)):

So, he basically trained you since you say you more or less grew up as family friends and you being on the boats over the years, you learned from him directly being underway with him, things like that?

Taylor Fitts ([00:33:58](#)):

Yeah. I learned a lot from him. But I mean, still a lot of the majority as far as working on the boats goes, I learned from the deck hands and the captains that were on the Conception-

Speaker 1 ([00:34:13](#)):

And that's right where I'm,-

Taylor Fitts ([00:34:14](#)):

... and the Vision.

Speaker 1 ([00:34:15](#)):

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That's right where I'm going next is, would you agree that, basically, all of them also were trained to an extent by Glen?

Taylor Fitts ([00:34:25](#)):

Yeah.

Speaker 1 ([00:34:26](#)):

Is he hands on? Is that accurate, Glen we pretty hands on?

Taylor Fitts ([00:34:29](#)):

Oh, yeah, absolutely.

Speaker 1 ([00:34:30](#)):

And when you say hands on, I take that to mean with everything. Is that what you mean also? He's very hands on with everything, like company, crew.

Taylor Fitts ([00:34:40](#)):

It depends on the scenario. I'd say as far as compared to any other company I know, he's probably the most hands-on guy as far as being an owner.

Speaker 1 ([00:34:50](#)):

Gotcha.

Taylor Fitts ([00:34:51](#)):

Owner operator trains people.

Speaker 1 ([00:34:55](#)):

Gotcha.

Taylor Fitts ([00:34:56](#)):

When I was on, Jerry was there and he was a very seasoned captain, so I'd learned things pretty much from Jerry and from the crew that he had trained.

Speaker 1 ([00:35:06](#)):

Gotcha.

Taylor Fitts ([00:35:06](#)):

And so, Jerry having been there for probably 20, 30 years prior to me being there was probably no longer receiving hands-on training from Glen, you know? But like I said, this last summer when there was a captain who was prospecting to work his way up, Glen was down there training him.

Speaker 1 ([00:35:28](#)):

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And was that normal for Glen to take these guys under his wing, guys like you, that [inaudible 00:35:36] guys wanted to work their way up, Glen would train them?

Taylor Fitts ([00:35:39](#)):

Yeah.

Speaker 1 ([00:35:39](#)):

Okay. Gotcha.

Taylor Fitts ([00:35:39](#)):

Yeah.

Speaker 1 ([00:35:41](#)):

Did Glen answer to anyone in the company?

Taylor Fitts ([00:35:46](#)):

I can't say.

Speaker 1 ([00:35:47](#)):

Okay. Did you ever understand anyone else to be the boss other than Glen?

Taylor Fitts ([00:35:54](#)):

No. I mean, other than the idea that we're all, other than Coast Guard, and maybe insurance companies, and stuff that you have to comply to.

Speaker 1 ([00:36:04](#)):

Sure. Yeah, I read you. What was him and Jerry's relationship like, Glen and Jerry?

Taylor Fitts ([00:36:11](#)):

Very close I would say. Yeah.

Speaker 1 ([00:36:14](#)):

Was there ever any professional disagreements that you saw?

Taylor Fitts ([00:36:23](#)):

No. I mean, every relationship, when you have it for decades at a time, I'm sure has their disagreements. But as far as on a professional side, Jerry was always very compliant with what Glen wanted to do.

Speaker 1 ([00:36:46](#)):

Gotcha, yeah.

Taylor Fitts ([00:36:50](#)):

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And for the most part, from my point of view, always agreed and wanted to carry out Glen's desires. But it's also Jerry, at that time when I jumped on, could run the boat just fine if Glen was gone for months. But if a new idea came about, it seemed to me Jerry was always compliant with doing what Glen wanted to do. And there was a mutual respect there.

Speaker 1 ([00:37:19](#)):

Cool.

Taylor Fitts ([00:37:20](#)):

And I know Glen always respected him because, through his long tenure, unfortunately until this tragedy, he had always brought the boat back safely.

Speaker 1 ([00:37:33](#)):

Sure. And on that note, so what I'm hearing, you, correct me if I'm wrong, Taylor, is Jerry, squared away, hard-nosed guy, that type, does that sound right?

Taylor Fitts ([00:37:45](#)):

Yeah. You could characterize him as that.

Speaker 1 ([00:37:48](#)):

So, I'm hearing that and that you said safety was his top deal.

Taylor Fitts ([00:37:52](#)):

Yeah.

Speaker 1 ([00:37:53](#)):

You said that earlier, I think. So, you're telling me that, but when I'm asking you for specifically how much training was done, you keep saying, "Well, yeah, I think we did it, but I can't really remember." So, I just want to understand that, you know what I mean? Because if you're telling me this guy is like AJ squared away, Mr. Trainer, "Hey, bust out everything for the drills. We're going to do a drill, because it's been three months and we haven't done a drill," if you can tell me more stories like that, it would make sense to me. But just help me understand that. Can you speak to that at all?

Taylor Fitts ([00:38:31](#)):

Yeah. So, I would say that, because of the lapse in time that's been since that time, it's 10... Or I was 18, 19 when I worked on that, 10 years ago.

Speaker 1 ([00:38:42](#)):

Well, even these trips that you've done, even though a few of them over the last few years, you've still been around the company, and you've still done multi-day trips.

Taylor Fitts ([00:38:53](#)):

Yeah.



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Speaker 1 ([00:38:53](#)):

So, please add that into your consideration as well. I understand the majority of your work was back in the day, but you've also worked more recently. So, let's add that in.

Taylor Fitts ([00:39:05](#)):

Okay. So yeah, more recently, if I would go fill in on a two or three-day trip, because they know I've been on the boats, because they know I'm credentialed, I would not personally get a run through of training before I did a fill-in trip, you know?

Speaker 1 ([00:39:26](#)):

Yeah.

Taylor Fitts ([00:39:28](#)):

But usually, the captains would check in and say, "Hey, do you have any questions about the systems? Do you remember how this works? Do you mind..." And if I didn't remember how to do something, say, go pump out the bilges, I'd often have to take a deckhand or something and say, "Hey, remind me how to do this." So, as-

Speaker 1 ([00:39:50](#)):

Who would quiz you on that type of stuff?

Taylor Fitts ([00:39:52](#)):

Well, I filled in on the Vision, and before I went to my wheel watch, which was my first task on the boat after we got on, Ian went through the system and said, "Okay, you remember how this computer works? Here's this and that. Watch your temperatures. Here's the light if you need that. There's your alarm system. Let me know if you have any questions." So, he'll just do a run through to make sure I can navigate the boat safely through the night.

Speaker 1 ([00:40:28](#)):

Sure.

Taylor Fitts ([00:40:29](#)):

And his room's one doorway if I needed him for anything anyways. So, I would say, on a fill-in basis, I would not get the full let's break out the fire hose every time I filled in, because-

Speaker 1 ([00:40:45](#)):

And did you ever coordinate any drills?

Taylor Fitts ([00:40:49](#)):

When I was full-time on the Truth. Like I said, because of the time-lapse, I can't recall-

Speaker 1 ([00:40:58](#)):

That's fine.

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Taylor Fitts ([00:40:59](#)):

... specific-

Speaker 1 ([00:41:00](#)):

That's fine.

Taylor Fitts ([00:41:00](#)):

... moments. But my recollection, what I'm trying to convey, is just by knowing the guy that Jerry is and knowing the knowledge that I gained on that boat, I know that those things happened. But because it was 10 years ago, I can't pinpoint specific examples.

Speaker 1 ([00:41:19](#)):

Gotcha. So, it was more or less common knowledge that it was common knowledge. You guys knew you all knew how to do it. And if you would come in and do fill-in trips, you would just backstop and check each other, make sure you remembered, but you wouldn't go all out and-

Taylor Fitts ([00:41:39](#)):

I would say, amongst the tenured fill-ins, or people who have worked a lot in the past, yeah, you'd get on the boat and you'd check in with the captain, with the crew, and yeah, you'd brush over things if you needed to. I think if somebody got on to fill in that wasn't experienced, they would get a lot more of a full gamut.

Speaker 1 ([00:42:09](#)):

And was that-

Taylor Fitts ([00:42:11](#)):

But I can't speak on behalf of them, because-

Speaker 1 ([00:42:12](#)):

And that would be determined by the captain?

Taylor Fitts ([00:42:15](#)):

Yeah.

Speaker 1 ([00:42:15](#)):

Or would the company require, "Hey, if you've been away for six months, you got to do X, Y, and Z when you come on board, so we can make sure you're familiar"?

Taylor Fitts ([00:42:26](#)):

Yeah, I can't speak as to where the-

Speaker 1 ([00:42:28](#)):

That's fine.

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Taylor Fitts ([00:42:29](#)):

... the official orders came from.

Denise ([00:42:31](#)):

Is this company year round? Year round, or is there a season close and a season open?

Taylor Fitts ([00:42:37](#)):

They run trips year round, but typically November, December, January, February are considered off season months. It's lobster season. So, they do a few trips throughout that time. But that's when boat maintenance, haul out, that sort of thing happens.

Denise ([00:43:01](#)):

Okay, so-

Taylor Fitts ([00:43:01](#)):

And then the-

Denise ([00:43:01](#)):

Generally, I mean in my experience with companies like this, they have season and then off season. And off season is when the employees are doing their training, while they're doing the maintenance. So, do you recall ever being tested on any of the information in the loss prevention manual or the employee handbook? You can know something by the book all you want, but nobody's truly going to learn unless they respond, right?

Taylor Fitts ([00:43:29](#)):

Right.

Denise ([00:43:30](#)):

How are you going to react in an emergency? Are you going to remember what you read or are you going to remember what you practiced? So, what was the practice?

Taylor Fitts ([00:43:40](#)):

Yeah. Before the start of the season, usually around April, May, right before trips are about to kick in, is usually when the boats would acquire their full-time crew and that's when the big training would happen. And those would be hands-on with the fire equipment, and the dive safety equipment, and the first aid equipment. So, I'm sorry, does it-

Denise ([00:44:10](#)):

So that's the full-time people. But then they have part-time coming in and out. And I have no idea what the crew was that was on the during the fire, if they were full of part-time. So, there's a potential that there were part-time employees on this vessel that did not get that training that were just filling in? Is that what I'm understanding?

Taylor Fitts ([00:44:32](#)):

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I can't comment. I don't know the people that were on there.

Denise ([00:44:35](#)):

On it.

Taylor Fitts ([00:44:36](#)):

Yeah.

Speaker 1 ([00:44:36](#)):

That's fine.

Taylor Fitts ([00:44:37](#)):

I know Mikey, who was full-time, he was one of the galleys. And then, Milton, I've worked one trip with him, and he was full-time through the summer. And I wasn't around that boat.

Denise ([00:44:54](#)):

So, if they did this training every year during off season, prior to going into season, who maintained that? Is that something Glenn Fritzer maintained? Is it something each captain maintained? Is it something the office maintained? Where's the documentation?

Taylor Fitts ([00:45:11](#)):

I would assume it would be up in the office, the documentation, or I think they're on the boat too. But I, like I said, I-

Speaker 1 ([00:45:22](#)):

Did you ever personally log a drill or training in the deck log?

Taylor Fitts ([00:45:26](#)):

No, not on those boats, not those.

Speaker 1 ([00:45:27](#)):

Did you ever witness the captain, if you were second captain, did you ever witness the captain making a log entry about training?

Denise ([00:45:34](#)):

In the deck log, right?

Taylor Fitts ([00:45:36](#)):

Right, right.

Speaker 1 ([00:45:36](#)):

Or in a separate training log?

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Taylor Fitts ([00:45:38](#)):

I can't recall. I mean-

Speaker 1 ([00:45:40](#)):

Did they ever ask you to make an entry for training?

Taylor Fitts ([00:45:43](#)):

No.

Speaker 1 ([00:45:44](#)):

Okay.

Taylor Fitts ([00:45:44](#)):

I've seen them fill out a lot of paperwork.

Denise ([00:45:46](#)):

Have you ever heard that saying, if you don't write it down, it didn't happen?

Taylor Fitts ([00:45:49](#)):

Yeah.

Denise ([00:45:49](#)):

Right? I mean-

Taylor Fitts ([00:45:49](#)):

Yeah.

Speaker 1 ([00:45:52](#)):

We're going to shift gears here a little bit and we can come back to that if we need to, but we're going to move on to a different topic, Taylor.

Taylor Fitts ([00:45:58](#)):

Yeah.

Speaker 1 ([00:45:59](#)):

And before we get into it, I just really want to remind you about what we talked about at the beginning.

PART 2 OF 4 ENDS [00:46:04]

Speaker 1 ([00:46:03](#)):

Before we get into it, I just really want to remind you about what we talked about at the beginning and to please consider your answer.

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Taylor Fitts ([00:46:08](#)):

Could I comment on the last topic?

Speaker 1 ([00:46:08](#)):

Sure. Yeah.

Taylor Fitts ([00:46:12](#)):

Just the process I'm explaining, where I remember doing training with the whole crew prior to the season, that was 10 years ago.

Speaker 1 ([00:46:21](#)):

Yeah. And that was first aid, right?

Taylor Fitts ([00:46:22](#)):

Yeah.

Speaker 1 ([00:46:23](#)):

CPR, oxygen.

Taylor Fitts ([00:46:23](#)):

And all of them have to have that, but I can't speak as to what their training methods were over the last five years.

Speaker 1 ([00:46:36](#)):

And during that annual training, do you ever recall or hearing about firefighting, flooding, men overboard?

Taylor Fitts ([00:46:42](#)):

Yeah. Yeah.

Speaker 1 ([00:46:43](#)):

During that annual, where the firefighter would come down? At that same, all in a bundle, would that happen [inaudible 00:46:48]?

Taylor Fitts ([00:46:48](#)):

Yeah. I'm fairly sure, yeah.

Speaker 1 ([00:46:50](#)):

Fairly sure, okay. Cool. So the topic now, and please consider your answer, sir, I want you to be aware. The reason I say that is because a lot of times we want to give the answer that should be the right answer or the things that we know should have happened, we kind of default to that.

Taylor Fitts ([00:47:12](#)):

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Right.

Speaker 1 ([00:47:13](#)):

So I would just caution you because we want to make sure you're aware of everything. Do you know what the COI is, specifically?

Taylor Fitts ([00:47:25](#)):

What the COI is?

Speaker 1 ([00:47:26](#)):

Yeah, just in general. What is it? What's it about? How does it get issued?

Taylor Fitts ([00:47:32](#)):

My impression is that if you're an inspected vessel, which I think passenger vessels have to be inspected, yeah, the Coast Guard does an indepth inspection of your vessel once a year. And then you get your COI and you're good to run, as far as the Coast Guard's concerned.

Speaker 1 ([00:47:54](#)):

100%. Have you ever read the COI itself? Maybe you got bored on watch and ...

Taylor Fitts ([00:48:02](#)):

I can't recall, no. I know I've looked at it for, because I've been curious about the weight and tonnage and length, and I know I've browsed that.

Speaker 1 ([00:48:13](#)):

And when you looked at it, where was that?

Taylor Fitts ([00:48:15](#)):

It's posted in the wheelhouse.

Speaker 1 ([00:48:17](#)):

Okay. Did anyone ever present it to you and go over it with you from the company?

Taylor Fitts ([00:48:23](#)):

No.

Speaker 1 ([00:48:24](#)):

Okay. Are you aware of anything on it about a roving watch?

Taylor Fitts ([00:48:32](#)):

No. I can't recall.

Speaker 1 ([00:48:35](#)):

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During any of your underway trips, do you recall you assigning, being assigned, or anyone ever doing a roving watch?

Taylor Fitts ([00:48:48](#)):

Obviously while underway, there's always someone up on the ... when you're at anchor, there wasn't always a roving watch. It depended on the scenario, if it were nasty conditions or if people were up late, you'd typically have somebody up. But if it were a nice calm night, there wouldn't always be somebody up.

Speaker 1 ([00:49:21](#)):

And who would decide that?

Taylor Fitts ([00:49:25](#)):

From my experience, the captain and the second captain would kind of ... I mean, there wasn't always a regimented time or anything. Unless there was an actual danger. Well, I mean, there's always some danger, but if there wasn't any perceived, if it wasn't howling 40 knots, you wouldn't have that. But if it was howling 40 knots, especially Jerry would be up a lot of the night, and I was never second captain on his boat. But when I ran, not full time, but when I ran second captain, we would kind of ... On nights like that, we would take turns being up and checking the anchor on the GPS and making sure nothing's flying away.

Speaker 1 ([00:50:21](#)):

Got you. So whether by night or day, was there ever a watch schedule posted?

Taylor Fitts ([00:50:26](#)):

No.

Speaker 1 ([00:50:26](#)):

Written out? Dry erase? Paper? Logbook?

Taylor Fitts ([00:50:31](#)):

No.

Speaker 1 ([00:50:31](#)):

Any kind of watch schedule? Okay.

Taylor Fitts ([00:50:32](#)):

No. There'd be a verbal agreement as to somebody needed to keep watch.

Speaker 1 ([00:50:39](#)):

Okay. Yeah, that's fine. Now, was there also ... I've heard another term also, anchor watch. So are you talking about an anchor watch or are you talking about a designated roving patrolman? And I know this can get a little right gray here, but I guess, let me ask you this. When you guys were up and it was nasty, like you said, howling 40 or whatever, did Jerry ever say, "I'm tired, you got the roving watch."



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Taylor Fitts ([00:51:17](#)):

No.

Speaker 1 ([00:51:18](#)):

Was there ever a watch schedule that had a block for roving watch?

Taylor Fitts ([00:51:22](#)):

No.

Speaker 1 ([00:51:23](#)):

Did you ever see it in a company policy? In a booklet? In a guidance, for roving watch?

Taylor Fitts ([00:51:31](#)):

I can't recall if it was written in a booklet or something.

Speaker 1 ([00:51:35](#)):

Okay. So I want to hear it from you, in your opinion, is there a difference between a roving watch and an anchor watch?

Taylor Fitts ([00:51:47](#)):

Yeah. I would assume that a roving watch would take a walk around the boat occasionally and have a look at things. As opposed to an anchor watch, you could just be looking at the screen to make sure you don't go out of your anchor alarm boundaries that you set. So basically just watching the GPS and having a look at the actual line occasionally, to make sure there's no chafing.

Speaker 1 ([00:52:15](#)):

Sure. So what would you call it, I guess? What would you or Jerry or anyone else, if you're concerned, if I'm hearing you correctly, if you're concerned about weather, what would you call that watch? That overnight watch?

Taylor Fitts ([00:52:28](#)):

We didn't have an official name for it.

Speaker 1 ([00:52:32](#)):

Okay.

Taylor Fitts ([00:52:33](#)):

It'd be just common knowledge that it's nasty and we don't want to chance going up on the rocks.

Speaker 1 ([00:52:42](#)):

Sure. So what would consist of, in that same vein of thought, if I'm understanding you correctly, weather's bad, you're worried about the anchor breaking loose or whatever, what would that look like?

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What would happen for that anchor watch? Like you said, to your recollection, I think you may have said that Jerry would be up most of the night sometimes, right?

Taylor Fitts ([00:53:06](#)):

Yeah.

Speaker 1 ([00:53:06](#)):

Would he go back to sleep periodically?

Taylor Fitts ([00:53:10](#)):

Yeah. The night watches are, if it's nasty out, Jerry has this awareness where, if he's sleeping early in the morning and you turn the compressors on, the sound of the generator load coming onto it, he'll wake up because of that. Or if the wind shifts or if you feel a warm wind or something that's a different ... So he's in tune with a lot of that stuff. And a lot of the time I don't think he is even sleeping as much as ... And the captain and the second captain and a few deck hands are experienced, but there wasn't always a defined, you're up roving the boat right now.

Speaker 1 ([00:54:07](#)):

There wasn't always, as in you had [inaudible 00:54:10].

Taylor Fitts ([00:54:10](#)):

No, there wasn't. No.

Speaker 1 ([00:54:13](#)):

To your recollection, there was never a roving watch specifically assigned?

Taylor Fitts ([00:54:18](#)):

Not in that vocabulary.

Speaker 1 ([00:54:22](#)):

That's fine. So just to make sure we're defining it right, because I don't want to misunderstand you, it sounds like the anchor watch was primarily ... or the night watch, I think you said a moment ago, was primarily for anchor dragging. Just an overall weather safety. You don't want it running a ground.

Taylor Fitts ([00:54:42](#)):

Typically, yeah.

Speaker 1 ([00:54:44](#)):

Other than obviously staring at the radar or the drag circle or whatever you had up, would a round ever be part of that anchor line?

Taylor Fitts ([00:54:55](#)):

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Yeah, I'd check on the chafe gear and I personally would go down because if I'm up at night, I would go in the galley and grab a piece of fruit and maybe use the bathroom. But I can't speak to if everybody did that.

Speaker 1 ([00:55:13](#)):

Do you know if Jerry ever went down and checked the anchor line during ... Or any captain for that matter, what their common practice was? For night watch.

Taylor Fitts ([00:55:24](#)):

I can't speak as to their specific practice, but I'm sure they did. I know I was, especially with Jerry, pretty knowledgeable in how do I say? Ocean fearing sense. Not like he's scared, but he's very aware of things that can go wrong so he always has that level of attention and awareness.

Speaker 1 ([00:55:52](#)):

Okay. You mentioned you'd done trips with Glen, I presume some of those were overnight, obviously, right?

Taylor Fitts ([00:56:01](#)):

Yeah.

Speaker 1 ([00:56:02](#)):

Do you ever recall Glen assigning a roving watch? Or performing, I guess I should say, anything more than looking at the drag circle every now and then.

Taylor Fitts ([00:56:16](#)):

Right. I can't recall.

Speaker 1 ([00:56:20](#)):

Do you ever remember seeing him awake at night?

Taylor Fitts ([00:56:23](#)):

Oh yeah, absolutely.

Speaker 1 ([00:56:25](#)):

How do you mean?

Taylor Fitts ([00:56:27](#)):

I can remember one instance that Johnson's Lee on the south side of Santa Rosa, where it was blowing really hard and we were practically just all awake because it was blowing so hard, waiting for the anchor to drag.

Speaker 1 ([00:56:43](#)):

And if it was all calm, like you said, some of those awesome nights where it's just like a bathtub out there, if Glen was out, would he be asleep as well?

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Taylor Fitts ([00:56:55](#)):

Likely, yeah.

Speaker 1 ([00:56:58](#)):

So it's common that if it's calm, people's stress level is low, crew more or less secures for the night, everybody racks out. Wake up early, start the next day, is that accurate?

Taylor Fitts ([00:57:13](#)):

I mean, as far as stress levels, I'd say they were always the same. It's all scenario. At Johnson's Lee, for example, the wind's blowing offshore so we were all up, but I wouldn't say our stress level was crazy high. Because if you drag anchor, you're blowing offshore. As opposed to, if you're on the front side of crews and the wind picks up in the night, and the wind's predominantly usually northwest, you have more danger of being on the rocks.

Speaker 1 ([00:57:47](#)):

Okay.

Taylor Fitts ([00:57:48](#)):

So stress level is just scenario based, I suppose. But on those nights, yeah, I wouldn't say stress is higher or lower because of-

Speaker 1 ([00:58:06](#)):

So is it fair to say that it was common? Or just let me know what you think, was it, in general across all the crews, that was the normal practice? To rack out if it's calm?

Taylor Fitts ([00:58:22](#)):

I can't speak for ... I didn't work with every crew that's worked there.

Speaker 1 ([00:58:27](#)):

But you've worked on all three boats, right?

Taylor Fitts ([00:58:29](#)):

Yeah.

Speaker 1 ([00:58:30](#)):

And on any of the three boats, was a roving watch ever assigned or like, "Hey, Taylor, you got the overnight watch."

Taylor Fitts ([00:58:37](#)):

Yeah. I mean, obviously when underway, yes. But as far as being at anchor in that terminology, no.

Speaker 1 ([00:58:45](#)):

Okay.

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Taylor Fitts ([00:58:47](#)):

But if there were people up and, yeah, if the weather was nasty.

Speaker 1 ([00:58:55](#)):

Okay, got you. And what do you think was Glen's knowledge about whether that was happening or not happening? Whether people were conducting a roving patrol or not?

Taylor Fitts ([00:59:09](#)):

I don't really know. Yeah.

Speaker 1 ([00:59:11](#)):

Would you say that, Glen, obviously you can't read his mind, so I understand that answer, but Glen, as you said, was very hands on and has made, obviously, tons of trips over the years. Would Glen know enough about the crews to know whether they were sleeping at night or not? In calm weather at anchor?

Taylor Fitts ([00:59:35](#)):

I can't say because I don't know. I can't recall in the handbook if it said something about that. So I don't know what he was ... I know on family trips, that we would sleep if it was calm.

Speaker 1 ([00:59:54](#)):

And you made those trips with Glen, right?

Taylor Fitts ([00:59:55](#)):

Yeah. Yeah.

Speaker 1 ([00:59:56](#)):

And was he ever acting ... I guess, did he do both? Was he just a passenger on some and then a captain on others? Or would he captain all those Thanksgiving trips?

Taylor Fitts ([01:00:07](#)):

Yeah, he would captain them. Yeah.

Speaker 1 ([01:00:09](#)):

And to your recollection, he would sleep just like anyone else at night?

Taylor Fitts ([01:00:13](#)):

Yeah.

Speaker 1 ([01:00:13](#)):

Okay. On that training regimen, I think we've hit that pretty well. I did want to move on ... Sorry, to put a bow on the night watch, about what was the average crew? How many crew on the boats you worked?

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Taylor Fitts ([01:00:37](#)):

Six. Captain, second captain, two galleys, two deck hands.

Speaker 1 ([01:00:41](#)):

And if I say the 12-hour rule, what does that mean to you?

Taylor Fitts ([01:00:45](#)):

12 on 12 off.

Speaker 1 ([01:00:47](#)):

Okay.

Taylor Fitts ([01:00:48](#)):

I mean, I don't know that rule, but that's what I would assume.

Speaker 1 ([01:00:53](#)):

Yeah. You're on it. So let's say, for whatever reason, you guys knew it was going to be nasty, whatever night out your anchored. Could you do a full on let's say four or six hour watches amongst the crew, on a multi-day trip, with just six people? Whether it was nasty or whether it was calm, just in general. If you have six guys, could you do all through the night watch with just six guys on multi-day, back to back trips, et cetera?

Taylor Fitts ([01:01:33](#)):

I mean, you certainly could. I would say we have done that when we were underway because you might go to Catalina overnight, and so obviously everybody takes shifts. And then you might come back up the next night, so I mean, yeah, it can certainly be done. It has been done in that scenario.

Speaker 1 ([01:02:00](#)):

For transiting underway?

Taylor Fitts ([01:02:02](#)):

Right.

Speaker 1 ([01:02:03](#)):

Who would drive, other than the captain's?

Taylor Fitts ([01:02:06](#)):

Deckhands would drive sometimes. It depends on the captain. Jerry was more particular, probably only let ... I'm not sure what his rules were, but I know that when I worked there only he drove and the second captain drove.

Speaker 1 ([01:02:28](#)):

And who was the second at the time?

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Taylor Fitts ([01:02:30](#)):

Baron Kelly.

Speaker 1 ([01:02:32](#)):

Aaron Kelly?

Taylor Fitts ([01:02:33](#)):

Baron.

Speaker 1 ([01:02:33](#)):

Oh, Baron.

Taylor Fitts ([01:02:34](#)):

Yeah.

Speaker 1 ([01:02:34](#)):

Okay, got you. Were deckhands allowed to drive at night, ever?

Taylor Fitts ([01:02:41](#)):

Yeah. Yeah.

Speaker 1 ([01:02:44](#)):

Are deckhands required to take rules of the road examinations?

Taylor Fitts ([01:02:49](#)):

I don't think so, no.

Speaker 1 ([01:02:51](#)):

Okay. So what was the plan for a deckhand driving at night, for example?

Taylor Fitts ([01:02:57](#)):

They'd get a lesson in the radar, in the chart and where we're going, how long they're at watch. And it'd usually be like, "Okay, keep an eye on that radar. Keep an eye on the horizon." They'd know the important starboard lights. And a lot of captains, I recall, is if anything gets within 10 miles on the radar, wake me up. It depends on the experience of who it is. If I was driving and I was second captain and had done it for a while, if I know I'm going to pass a boat yeah two miles away, and I'm comfortable in my knowledge in that, I wouldn't go wake up the captain. But if it were a deckhand then they might say, "Any blip pops up on here, you see something in the distance, don't hesitate to wake me up." That was typically the rule.

Speaker 1 ([01:04:03](#)):

I hear you, okay. Was there an ax kept anywhere on the boats?

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Taylor Fitts ([01:04:11](#)):

I believe there is. I can see one in my head on one of the boats. I think it was the Conception, up on the wall, on the port side of the wheelhouse.

Speaker 1 ([01:04:23](#)):

Okay. Was there ever any training given on why that's there or what's the purpose of that?

Taylor Fitts ([01:04:31](#)):

No, I don't know.

Speaker 1 ([01:04:33](#)):

Okay. How many trips did you make with Mikey?

Taylor Fitts ([01:04:41](#)):

Just one, maybe two.

Speaker 1 ([01:04:43](#)):

All right.

Taylor Fitts ([01:04:45](#)):

Just in this last season.

Speaker 1 ([01:04:46](#)):

And he'd been there a while, right?

Taylor Fitts ([01:04:49](#)):

I don't know how long he'd been there, yeah. I just met him just this last season, I'm pretty sure.

Speaker 1 ([01:04:55](#)):

Okay. So he was galley, right?

Taylor Fitts ([01:04:58](#)):

Yeah.

Speaker 1 ([01:04:59](#)):

So we talked about the training program and how the captain would more or less decide on what was going to happen when, or if there was any informal training, he would show people things, right?

Taylor Fitts ([01:05:12](#)):

Yeah.

Speaker 1 ([01:05:13](#)):



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What would you expect Mikey, someone like him, his level of knowledge to be in the event of fire, flooding, or man overboard?

Taylor Fitts ([01:05:24](#)):

The galley is often assigned to the passenger management, I would think. I can't say for sure what kind of training he got, but in my eyes ... Like in dive emergency, they're the ones that control the crowd and they write down what's happening. And I think that would be their general job, besides obviously if there's a fire right there in the galley, alert people and take the fire extinguisher yourself.

Speaker 1 ([01:05:56](#)):

Got you. Did you ever train or see galley members be trained on how to react to a man overboard or a fire?

Taylor Fitts ([01:06:07](#)):

Yeah, 10 years ago. Can't recall specific ...

Speaker 1 ([01:06:13](#)):

And was that-

Taylor Fitts ([01:06:14](#)):

... situations, but I know that the whole crew was trained in on it.

Speaker 1 ([01:06:18](#)):

By the captain or by someone outside or ...

Taylor Fitts ([01:06:22](#)):

Both, yeah. Usually by the captain, but in those training seminars specifically that we would hold, it might've been an outside source.

Speaker 1 ([01:06:33](#)):

Got you. All right. The diving of ... Oh, sorry, do you ever recall a fire, at all, of any size, on any boat occurring?

Taylor Fitts ([01:06:48](#)):

No. But I mean-

Speaker 1 ([01:06:50](#)):

Even if it was a little something and a passenger put it out or something? You ever hear anything about that?

Taylor Fitts ([01:06:56](#)):

No, not a fire. I've seen things like a burnt something in the galley. The lasagna burned or something. I mean, nothing more than smoke.

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Speaker 1 ([01:07:09](#)):

Did you ever hear about any battery fires ever occurring? Or walls being charred from black soot or smoke, anything like that?

Taylor Fitts ([01:07:16](#)):

No.

Speaker 1 ([01:07:18](#)):

Was there ever any captain's meetings, Taylor?

Taylor Fitts ([01:07:24](#)):

Not that I can recall, specifically. But I mean, often the captains would meet up on the dock after trips and would discuss something if it happened or ...

Speaker 1 ([01:07:38](#)):

Was that informal or was it led by the-

Taylor Fitts ([01:07:41](#)):

Yeah, informal. I can't recall the formal captain's meeting, but I wouldn't doubt if it happened. And I wasn't a first captain so I wouldn't be told if they were having a first captain's meeting or something.

Speaker 1 ([01:07:56](#)):

Do you know what Glen's involvement would be, if any, for those informal captain's meetings?

Taylor Fitts ([01:08:03](#)):

I mean, yeah, if he was down on the dock, they would have chats with everybody. Sometimes there would be days where all the boats happened to come in at once, or maybe two of them happened to come in, and captains would usually chat. If nothing pertinent happened, at the very least, just, oh, where'd you go? How was the weather? How was the water visibility? What group did you have?

Speaker 1 ([01:08:28](#)):

Sure.

Taylor Fitts ([01:08:29](#)):

If there was a dive accident or something disastrous happened, they'd usually discuss it amongst each other.

Speaker 1 ([01:08:37](#)):

Okay.

Taylor Fitts ([01:08:39](#)):

Informally, for sure. Formally, I'm sure when incidents happened they might have had meetings about it, but I can't speak to that.

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Speaker 1 ([01:08:48](#)):

Cool. And sorry if I'm doing rapid fire here, but we don't want to take your whole day, so ...

Taylor Fitts ([01:08:54](#)):

No, it's all good.

Speaker 1 ([01:08:54](#)):

I don't want you to think I'm trying to rush you at all.

Taylor Fitts ([01:08:58](#)):

Trying to give you the best I can.

Speaker 1 ([01:09:00](#)):

No, that's cool. And like I said, if you want to take a break, I'm totally fine with that. We can ...

PART 3 OF 4 ENDS [01:09:04]

Taylor Fitts ([01:09:03](#)):

Yeah.

Speaker 1 ([01:09:03](#)):

No, that's cool. And like I said, if you want to take a break, I'm totally fine with that. We can do whatever. If you'd like right now, you want to take five or make a phone call or anything?

Taylor Fitts ([01:09:08](#)):

I'm good. I just hope I'm-

Speaker 1 ([01:09:11](#)):

Yeah, no, this is all good stuff.

Taylor Fitts ([01:09:12](#)):

Trying to say it as I remember it.

Speaker 1 ([01:09:15](#)):

No, absolutely. We appreciate that. All good stuff. We talked a little earlier about the rescue diver, right?

Taylor Fitts ([01:09:22](#)):

Mm-hmm.

Speaker 1 ([01:09:24](#)):

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Was the rescue diver diving recreationally from time to time? And we understand, obviously this is a diver business and most guys only work on these boats because they want to dive too. That's kind of the reality, right?

Taylor Fitts ([01:09:37](#)):

Yeah.

Speaker 1 ([01:09:37](#)):

So what did that look like going down there and just burning a tank, so to speak? Who would do that? How often?

Taylor Fitts ([01:09:46](#)):

Yeah. It varied captain to captain. I can say for sure Jerry would let his crew dive the least. But typically on the other boats, at least, if the weather was good, if maybe it's the end of the day and people are done diving. Usually never on the first dive, or it depends on the group. If you have some people that seem kind of suspect and uncomfortable, you wouldn't want to put a deck in the water because you want to have all hands on deck in case there's an emergency of some sort.

Speaker 1 ([01:10:31](#)):

Sure.

Taylor Fitts ([01:10:32](#)):

But if it was a group that had come out frequently and we knew most people on board, and it was a nice day, the captains would usually let the crew go for a dive if all of those things came together and it seemed like an appropriate thing to do. And usually the divers, if you're on the crew and you're going for a dive, you jump in first right away. Because usually people take their time and then you'd get back usually before everyone else so that you could help take off their fins, get the tanks going.

Speaker 1 ([01:11:08](#)):

Sure. I see. Yeah. So situational?

Taylor Fitts ([01:11:11](#)):

Yeah. If it's a well organized trip, you might get to dive every day.

Speaker 1 ([01:11:18](#)):

Cool. And who of the crew would actually ever go diving? Let's say, what all sort of levels of crew? Who all have you seen diving ever from the crew?

Taylor Fitts ([01:11:28](#)):

Everybody.

Speaker 1 ([01:11:29](#)):

Even captains and second captains?

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Taylor Fitts ([01:11:31](#)):

Yeah. Always, you'd want a captain on board. You'd never see two captains in the water.

Speaker 1 ([01:11:38](#)):

Gotcha. And so all crew at some point would, you've seen all crew levels dive so to speak, recreationally, right?

Taylor Fitts ([01:11:47](#)):

Yeah.

Speaker 1 ([01:11:48](#)):

What was the most crew that you've ever seen diving in the water together recreationally, not on a response or something like that?

Taylor Fitts ([01:12:04](#)):

I'm sure two galleys have gone together. Never two of the deck and/or the captain crew.

Speaker 1 ([01:12:15](#)):

And why did you say that was that they wouldn't go never two deck or two captains?

Taylor Fitts ([01:12:20](#)):

Well, just because the galley, if they're good at their job, they're pretty self-sufficient. And if they get their stuff done and get the food cooked and have it out on time and they're ready, they can pretty much do whatever they want if they're doing a good job. And if they're good at it, and they're self-sufficient, the experienced ones, can plan their days around, "Okay, breakfast prep, you're going to do a hot breakfast, I'm going to go dive. I'm going to come back, do the dishes." They can plan it out.

Speaker 1 ([01:12:53](#)):

Gotcha.

Taylor Fitts ([01:12:53](#)):

So the galley, if they're good at their job, have the most freedom of anyone.

Speaker 1 ([01:12:57](#)):

I see.

Taylor Fitts ([01:12:57](#)):

But between the deckhands and the captains, you would never see two of them go dive at the same time because you usually have the passengers and the safety diving and the tanks to tend to. You don't have that freedom that the galley has.

Speaker 1 ([01:13:16](#)):

What about a response for emergency flooding? Is that why?

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Taylor Fitts ([01:13:22](#)):

Yeah. That is why you wouldn't want to be down a deckhand or a captain if an emergency happened.

Speaker 1 ([01:13:31](#)):

Gotcha. And on all those dives over the years or trips with Glen, do you recall him being on those trips when crew was diving as well? Or even if he was diving when he was the captain?

Taylor Fitts ([01:13:47](#)):

I'm sure that they did. I can't recall specifically. A lot of my trips with Glen were like family trips. There's no paying passengers on board. So yeah, he would go dive.

Speaker 1 ([01:14:04](#)):

But you said he often was the captain or acting as one of the licensed mariners for those family trips, right?

Taylor Fitts ([01:14:11](#)):

Yeah.

Speaker 1 ([01:14:11](#)):

And on those trips he would go diving from time to time on the family trips?

Taylor Fitts ([01:14:15](#)):

Yeah.

Speaker 1 ([01:14:15](#)):

Okay. Gotcha. I want to circle back briefly to the night watch. You said underway, totally you guys have done it. Six people rotating throughout the night.

Taylor Fitts ([01:14:27](#)):

Yeah.

Speaker 1 ([01:14:30](#)):

If you could do it underway, I guess was it ever done or was it ever discussed about the concept of it being done at anchor as a standard procedure? Like, "Hey, we can stand a whole night watch through the night with all of us. Can we do it at anchor also?"

Taylor Fitts ([01:14:52](#)):

I can't recall it being discussed.

Speaker 1 ([01:14:55](#)):

Okay. Would you agree or what's your thought on adding an additional crew member, a seventh crew member?

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Taylor Fitts ([01:15:05](#)):

I think that'd be a good idea.

Speaker 1 ([01:15:07](#)):

Why is that?

Taylor Fitts ([01:15:10](#)):

Because I think that the disaster that happened, and obviously I understand why you're asking all these questions, potentially things could have been alerted earlier before it was too late if there might have been a roving watch. And I do agree that with how hard the crew works throughout the day and the nature of the job that yes, technically you probably could keep people up at night and do it. But you would just run your crew into the ground and to properly, if you want to have a roving watch 24/7 so that someone's always up and watching. Yeah, I believe you'd need one more crew.

Speaker 1 ([01:15:58](#)):

Gotcha. I appreciate that. Was that roving watch optional to your recollection? Per the COI or rules? Or what was your understanding of it, if anything at all? Was it like a captain's discretion thing or was it like-

Taylor Fitts ([01:16:20](#)):

Yeah, it was just amongst the captains and the knowledgeable crew-

Denise ([01:16:23](#)):

Did you know it was a requirement?

Taylor Fitts ([01:16:29](#)):

On the vessel I worked before we did a roving watch.

Denise ([01:16:31](#)):

Okay.

Speaker 1 ([01:16:33](#)):

Sorry, which vessel before?

Taylor Fitts ([01:16:35](#)):

It's called the American Pride Tallship.

Speaker 1 ([01:16:38](#)):

Oh, gotcha.

Taylor Fitts ([01:16:38](#)):

That I worked out on Catalina on.

Speaker 1 ([01:16:41](#)):

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Gotcha.

Taylor Fitts ([01:16:42](#)):

So yeah, I've always wondered about that.

Denise ([01:16:52](#)):

Did you ask anybody about it or no? Talk to anybody?

Taylor Fitts ([01:16:55](#)):

Talked about it with family and with maybe other crew members. And it's just the way that the company's done it historically for decades.

Speaker 1 ([01:17:08](#)):

What do you mean, what have they done historically for decades?

Taylor Fitts ([01:17:11](#)):

Well, I assumed the way I was taught, the way the boat was run as far as roving watches or the absence of is how they had done it since the seventies.

Speaker 1 ([01:17:21](#)):

So since you basically were not really taught or asked to or tasked to do a roving watch, you just figured that's the culture of this company, that's their thing?

Taylor Fitts ([01:17:33](#)):

Yeah. That's the way it's always been done.

Speaker 1 ([01:17:36](#)):

And when you did talk with crew about it, who was that crew that you spoke to about it?

Taylor Fitts ([01:17:40](#)):

Oh, I can't recall. I just know it's been a lingering thought.

Denise ([01:17:52](#)):

Was it ever Boylen or Glen that you talked to about it?

Taylor Fitts ([01:17:52](#)):

No, I don't think so.

Speaker 1 ([01:17:53](#)):

Okay. Gotcha. Oh, boy. A few more topics here. So would you say it's true, Taylor, that it was just common practice to have the overboard discharge valve open for blackwater and just let it go? The tanks were only so big, they get full. You just got to let it rip, whether it's within three miles or not?



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Taylor Fitts ([01:18:21](#)):

No, we would do it when we were crossing the channel or we would do it when we were on our way.

Speaker 1 ([01:18:29](#)):

Gotcha. So you understand what I say within three, right? Within three nautical miles?

Taylor Fitts ([01:18:36](#)):

Yeah.

Speaker 1 ([01:18:36](#)):

Just it sounds like, or let me know what your experience has been. Was it discharged within three from time to time?

Taylor Fitts ([01:18:45](#)):

Yeah.

Speaker 1 ([01:18:46](#)):

Okay. And it was kind of common, is that right?

Taylor Fitts ([01:18:51](#)):

Yeah.

Speaker 1 ([01:18:51](#)):

Okay. Was it common across the company?

Taylor Fitts ([01:18:57](#)):

I think so, yeah.

Speaker 1 ([01:18:59](#)):

Okay. And what was Glen's knowledge of it?

Taylor Fitts ([01:19:02](#)):

I can't say what his knowledge is.

Speaker 1 ([01:19:04](#)):

Gotcha. So you made a lot of trips with Glen. Do you recall being on a trip where it was discharged within three and Glen was on board as well?

Taylor Fitts ([01:19:15](#)):

I mean, I can't recall a specific incident. A lot of those trips I did with Glen were prior to working, so it was prior to me working for the company.

Speaker 1 ([01:19:28](#)):

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Oh, I see.

Taylor Fitts ([01:19:28](#)):

So he wouldn't have me go do things like that.

Denise ([01:19:31](#)):

[inaudible 01:19:32] Jerry?

Taylor Fitts ([01:19:33](#)):

So I don't know. Yeah.

Denise ([01:19:33](#)):

And you said you only got underway with him once, Jerry?

Taylor Fitts ([01:19:37](#)):

Once in the last year.

Denise ([01:19:39](#)):

Okay.

Speaker 1 ([01:19:40](#)):

Okay. So is it accurate to say that that was just kind of a culture across the company? That everybody kind of did it and for whatever reason they justified it, they would do it, right? Would you have any-

Denise ([01:19:54](#)):

Don't nod.

Taylor Fitts ([01:19:54](#)):

Oh, yeah.

Denise ([01:19:54](#)):

Say yes, please.

Speaker 1 ([01:19:54](#)):

Sorry.

Taylor Fitts ([01:19:54](#)):

Yeah.

Denise ([01:19:54](#)):

I'll be sitting there typing and going, "I don't know."

Speaker 1 ([01:20:01](#)):

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Yeah. Even I forget that too.

Taylor Fitts ([01:20:04](#)):

Well, it's uncomfortable because obviously there's things that I know.

Speaker 1 ([01:20:11](#)):

I will say this, there's weightier matters at hand.

Taylor Fitts ([01:20:16](#)):

Right.

Speaker 1 ([01:20:17](#)):

But that is part of the picture. Would you not agree?

Taylor Fitts ([01:20:19](#)):

Yeah.

Speaker 1 ([01:20:19](#)):

It's part of the overall, okay well, what was going on here? What wasn't? What was happening? So do you have any reason to believe why Glen wouldn't know about that common practice within his company of people pumping and him being a very hands-on owner being around all the time?

Taylor Fitts ([01:20:36](#)):

No, I don't think there's any reason he wouldn't know.

Speaker 1 ([01:20:39](#)):

Gotcha. Do you know if he ever directed anyone do it specifically or permitted it specifically?

Taylor Fitts ([01:20:46](#)):

I can't recall 'cause all my trips with him was prior to me hanging out in the engine room.

Speaker 1 ([01:20:52](#)):

Okay.

Taylor Fitts ([01:20:52](#)):

And I think I've worked one working trip with him that I can recall 'cause it was a really nice one down at San Clemente Island. And I may have done more, but it's been so few.

Speaker 1 ([01:21:06](#)):

Yeah, what year was that one?

Taylor Fitts ([01:21:09](#)):

Oh, that's a total guess like maybe 2014 or '13. Just a random fill-in that I-

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Speaker 1 ([01:21:16](#)):

You seem to remember the trip though, it was a good trip?

Taylor Fitts ([01:21:18](#)):

Yeah.

Speaker 1 ([01:21:18](#)):

Okay, cool. And back to the matter at hand, did Glen stand watch that night? Or have anyone stand a roving watch that night to your recollection?

Taylor Fitts ([01:21:27](#)):

I can't remember.

Speaker 1 ([01:21:28](#)):

Okay. So on this topic of the discharging within three... Get it, we're turning the page. Anything else to your knowledge, regulations wise, law wise, whether it's federal law, state law, environmental, whatever, labor law, I don't know. Anything that you can recall that the company was doing throughout your tenure there?

Taylor Fitts ([01:21:54](#)):

I mean, I would say, honestly, I'm not like, what's the word I'm looking for? I'm not learned enough about the law. I don't think that's the word.

Speaker 1 ([01:22:06](#)):

That's fine.

Denise ([01:22:08](#)):

What are we on, savvy?

Taylor Fitts ([01:22:12](#)):

I'm not knowledgeable enough about all the laws to know specifically.

Speaker 1 ([01:22:14](#)):

Did you suspect anything? Were you like, "I don't know if that's..."

Taylor Fitts ([01:22:21](#)):

I mean, labor laws, I don't really know how that works with vessels offshore.

Speaker 1 ([01:22:29](#)):

But did you suspect some violation of some law related to that, or what do you mean?

Taylor Fitts ([01:22:35](#)):

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I know there was a guy who I had worked with a few times that pursued a lawsuit about it, and I didn't really pay attention to what it was about. So just in that sense, just having the knowledge that that happened.

Speaker 1 ([01:22:52](#)):  
He sued the company?

Taylor Fitts ([01:22:54](#)):  
Yeah, I believe so.

Speaker 1 ([01:22:55](#)):  
And it was over what?

Taylor Fitts ([01:22:56](#)):  
It was over some labor law.

Speaker 1 ([01:22:59](#)):  
Was it like pay?

Taylor Fitts ([01:23:00](#)):  
Yeah, probably. I can't remember. I didn't pay attention to it.

Speaker 1 ([01:23:05](#)):  
Around about what year was that?

Taylor Fitts ([01:23:08](#)):  
Maybe five years ago.

Speaker 1 ([01:23:10](#)):  
And do you remember who the crew member was?

Taylor Fitts ([01:23:14](#)):  
His name is Josh. I don't know his last name.

Speaker 1 ([01:23:19](#)):  
Okay. Do you remember the result of it at all?

Taylor Fitts ([01:23:21](#)):  
No, I didn't pay attention.

Speaker 1 ([01:23:23](#)):  
Gotcha.

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Taylor Fitts ([01:23:23](#)):

Whenever there's drama, I try to, especially if I'm not working there, I want to distance myself.

Speaker 1 ([01:23:28](#)):

Gotcha. Cool. Two new topics. And again, there's weightier matters, I'll say that.

Taylor Fitts ([01:23:35](#)):

Right.

Speaker 1 ([01:23:37](#)):

Did you ever see or suspect anyone of ingesting or smoking marijuana or any other illegal or controlled substance, crew member, during any of your time on board any of these boats?

Taylor Fitts ([01:23:54](#)):

No. I personally, well obviously because I have my license and whatever, but I don't smoke and I don't even like inhaling it because it makes me have asthma. So I would be the last person to ask because even friends of mine who I know outside of the maritime industry who smoked, they don't smoke around me because they know it bothers me.

Speaker 1 ([01:24:19](#)):

Gotcha.

Taylor Fitts ([01:24:20](#)):

But no, I've never... A crewman, because they get tested randomly.

Speaker 1 ([01:24:25](#)):

Did you ever see in any of the state rooms anything that appeared to be marijuana or any type of illicit drug?

Taylor Fitts ([01:24:33](#)):

No.

Speaker 1 ([01:24:34](#)):

Okay. Did you ever smell the presence of it on board?

Taylor Fitts ([01:24:39](#)):

Maybe from passengers one or two times, and then it was strictly, "Throw that, get rid of that."

Speaker 1 ([01:24:47](#)):

And who told them to do that?

Taylor Fitts ([01:24:52](#)):

I can't remember.

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Speaker 1 ([01:24:53](#)):

Okay. So next topic of those two that I was talking about is drinking. Did you ever see any of the crew participate in drinking with the passengers?

Taylor Fitts ([01:25:04](#)):

No. Not on board.

Speaker 1 ([01:25:07](#)):

What about Avalon?

Taylor Fitts ([01:25:09](#)):

Yeah.

Speaker 1 ([01:25:11](#)):

What's that like in a nut shell?

Taylor Fitts ([01:25:12](#)):

Well, I don't drink personally, so I never went in. I don't think I ever saw it. But I think that there has been times where a crew has gone in and had a beer with passengers.

Speaker 1 ([01:25:28](#)):

And would that be a problem for coming back on board? Or they were on a temporary shore leave, like you pulled in with passengers, right? And you would leave with passengers?

Taylor Fitts ([01:25:42](#)):

Yeah.

Speaker 1 ([01:25:42](#)):

And what was that timeframe like in between that shore leave?

Taylor Fitts ([01:25:45](#)):

Well, usually we would stay the night at Avalon, so usually the passengers would go into Avalon and a crewman might go in with them. And I don't know if they would have a drink or not. I know I've gone in and played mini putt putt golf and just walked around just to get off the boat.

Speaker 1 ([01:26:06](#)):

Gotcha.

Taylor Fitts ([01:26:08](#)):

And then usually the passengers come back on the shore boat later, 11:00 or so at night and go to sleep.

Speaker 1 ([01:26:19](#)):

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Gotcha. Okay. Well, cool. I'm at a spot where I think we can take a quick five-minute break, and I'm actually going to go back to my vehicle and grab a quick check sheet and then we'll... It's kind of an outline.

Denise ([01:26:44](#)):

Is that it?

Speaker 1 ([01:26:44](#)):

No, I think there's a newer one. Yeah. But I'm just going to-

Denise ([01:26:47](#)):

Can I ask a question real quick?

Speaker 1 ([01:26:48](#)):

Yeah, please.

Denise ([01:26:50](#)):

You had said in the very beginning that you would work and do maintenance on the boats. What is that maintenance? What would you do?

Taylor Fitts ([01:26:58](#)):

Well, the first season I think we replaced the motor on the cathead, the windlass.

Denise ([01:27:03](#)):

Okay.

Taylor Fitts ([01:27:07](#)):

Then when COI happens, you pull out all the life jackets, check that they have their lights, and you go through the whole boat. And especially Jerry, I remember literally polishing bilges, that they're super dry and clean. And just anything the boat needed, fix fans, fix lights in the engine room.

Denise ([01:27:37](#)):

What about the smoke detectors? How were they maintained?

Taylor Fitts ([01:27:44](#)):

Well, you just pushed the test thing if it was one of those.

Denise ([01:27:49](#)):

How often was that done and where was it documented? There I go again.

Taylor Fitts ([01:27:53](#)):

I don't know where it was documented. Yeah. I think it was on the conception, maybe on the truth, up in the wheelhouse, they have the big buttons. You can test the alarm for all the fire and smoke alarms in



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each berth or whatever. And so I always pushed those. It was kind of just like a habit. Every time I sat there, I'd be like, boom, bing, bing, bing. Go down the line.

Denise ([01:28:25](#)):

Just test it?

Taylor Fitts ([01:28:25](#)):

Yeah.

Speaker 1 ([01:28:26](#)):

Did it ever not test well, did you ever get a fuse light out? Is that how that worked? If it didn't work, the light wouldn't light up?

Taylor Fitts ([01:28:34](#)):

I assume. Yeah, it wouldn't make a sound, but I don't recall ever having to fix that system.

Speaker 1 ([01:28:40](#)):

Did you ever get trained on how that alarm panel worked?

Taylor Fitts ([01:28:44](#)):

I mean, not beyond, "This is how you test it. This is what it sounds like when it goes on, and this is how you turn it off if you need to."

Speaker 1 ([01:28:54](#)):

Gotcha.

Taylor Fitts ([01:28:55](#)):

I mean, I think that's all there is to learn on that panel.

Denise ([01:28:57](#)):

How often did you have to do that test? Was it daily, weekly, monthly?

Taylor Fitts ([01:29:05](#)):

I mean, I can't remember a frequency that was required. It was more of a habit.

Speaker 1 ([01:29:13](#)):

Because you personally would do it just...

Taylor Fitts ([01:29:15](#)):

Yeah.

Speaker 1 ([01:29:16](#)):

Okay, cool.

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Denise ([01:29:17](#)):

Same with the smoke detectors? Was it just a weekly thing? Monthly thing, for testing it?

Taylor Fitts ([01:29:24](#)):

I can't say the frequency of it. Yeah.

Denise ([01:29:26](#)):

Do you know who was responsible to test them?

Taylor Fitts ([01:29:29](#)):

I mean, ultimately the captain's responsible for everything.

Denise ([01:29:33](#)):

Well, yeah.

Speaker 1 ([01:29:34](#)):

Yeah.

Taylor Fitts ([01:29:35](#)):

It's up to him to sign if he wants someone to test it.

Speaker 1 ([01:29:41](#)):

Speaking of all captain's responsibilities, would you agree, Taylor, that if a captain failed to abide by what's required of him on the COI, that he is negligent in his duties?

Taylor Fitts ([01:30:03](#)):

Yeah, I suppose so in all legality matters.

Speaker 1 ([01:30:08](#)):

Well, I mean, I'm just asking you whether you would agree or not.

Taylor Fitts ([01:30:12](#)):

Yeah, absolutely.

Speaker 1 ([01:30:14](#)):

Okay.

Denise ([01:30:16](#)):

[inaudible 01:30:14] license. How about electrical maintenance? Do you guys do any of that?

Taylor Fitts ([01:30:19](#)):

I mean, I've fixed the lights in the bunk room sometimes.

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Denise ([01:30:25](#)):

What does that mean? Just taking the light out?

Speaker 1 ([01:30:27](#)):

They're like... Oh, there's none in this boat. Just those little lights that you get at West Miranda and you click the switch just on the side. Not much different than this, but it was just those globe ones.

Taylor Fitts ([01:30:38](#)):

Gotcha. So what was the most major electrical work you ever recall you guys as crew doing? Or that you heard about crew doing?

([01:30:49](#)):

Oh, I never did anything major beyond fixing those lights and resetting a breaker. Yeah, I never did any major electrical stuff.

Denise ([01:31:03](#)):

When you say resetting a breaker, you just mean turning the switch?

Taylor Fitts ([01:31:05](#)):

Yeah, like if a breaker tripped.

Speaker 1 ([01:31:07](#)):

Okay.

Denise ([01:31:08](#)):

So not putting in a new breaker box?

Taylor Fitts ([01:31:10](#)):

Yeah. It's not my forte.

Speaker 1 ([01:31:13](#)):

Cool. Okay. Well yeah, if you guys are okay, we can take a quick five, probably 10 minute now that I'm thinking about where the car is over in the lot. But yeah, I'm going to jet down, grab that and then I'll be right back if you guys are cool with that.

Taylor Fitts ([01:31:24](#)):

Okay.

Denise ([01:31:25](#)):

I'm going to stop this for now and then I'll just restart it.

Taylor Fitts ([01:31:26](#)):

Cool.

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Speaker 1 ([01:31:28](#)):

Yeah, and feel free Taylor to make a phone call-

PART 4 OF 4 ENDS [01:31:31]

This transcript was exported on Apr 27, 2023 - view latest version [here](#).

Denise ([00:01](#)):

Oh, it was just here. I thought it all disappeared. That would've been terrible.

Speaker 2 ([00:06](#)):

1500. Starting again. Good to go, Taylor?

Taylor ([00:09](#)):

Yes, sir.

Speaker 2 ([00:10](#)):

All right. Couple things.

Denise ([00:13](#)):

Thank you.

Taylor ([00:14](#)):

Yeah.

Speaker 2 ([00:18](#)):

Was there a high turnover rate for deck ends or crew in general?

Taylor ([00:25](#)):

Yeah, seasonally. It seems like people would stick around for a couple years and then a turnover, because it's kind of one of those young folks job-

Speaker 2 ([00:35](#)):

Gotcha. Was pay a factor in the turnover rate?

Taylor ([00:42](#)):

I mean, probably.

Speaker 2 ([00:45](#)):

Gotcha.

Taylor ([00:45](#)):

Or it's more just that it's seasonal hard work, I think.

Speaker 2 ([00:49](#)):

Sure.

Taylor ([00:50](#)):

And it's one of those jobs you do because you want to go dive a bunch and it's not as far as being a deckhand, it's not a career job.

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Speaker 2 ([01:02](#)):

What were you paid as... What was your pay as a relief captain the last few trips you made? Daily, right?

Taylor ([01:12](#)):

What's that?

Speaker 2 ([01:13](#)):

It was daily, right? You get a certain amount of day.

Taylor ([01:16](#)):

Yeah.

Speaker 2 ([01:16](#)):

What was it?

Taylor ([01:17](#)):

Well, I only ran one trip as first captain and because I only ran one, I don't actually know the rate. If it been second captain, I think second captain was 160 a day. And then first was two something, 220. But I didn't pay super attention because it was more like I was just filling in and doing it because-

Speaker 2 ([01:46](#)):

Do you know what crew was getting paid as lately?

Taylor ([01:49](#)):

No.

Speaker 2 ([01:49](#)):

How much per day?

Taylor ([01:49](#)):

No.

Speaker 2 ([01:51](#)):

What about when you were a crew?

Taylor ([01:53](#)):

When I was crew, I think it was 115 a day.

Denise ([01:57](#)):

How does that compare to your job in Long Beach? Was it Long Beach you said?

Taylor ([02:01](#)):

Oh yeah. My job in Long Beach.

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Denise ([02:03](#)):

That doesn't seem like a lot of money to me.

Taylor ([02:05](#)):

No, but the job in Long Beach was even less.

Denise ([02:06](#)):

Really?

Taylor ([02:06](#)):

Yeah.

Denise ([02:07](#)):

It was? Wow, okay.

Speaker 2 ([02:07](#)):

Oh boy.

Taylor ([02:13](#)):

I mean I was just 17, just left school and just Right. It was more somewhere to go and get out of town.

Speaker 2 ([02:21](#)):

Gotcha.

Taylor ([02:22](#)):

That was a camp counselor type of job.

Denise ([02:24](#)):

And you don't have anything to compare what they're paying here to, other than Long Beach?

Taylor ([02:33](#)):

No, I haven't worked on any other dive boats. I mean, I worked on a whale botching charter boat and I got paid 25 bucks an hour for being captain. The Jack hands got less.

Speaker 2 ([02:50](#)):

Wow. Gotcha.

Taylor ([02:52](#)):

It was pretty comparable at that job at least.

Speaker 2 ([02:56](#)):

So not great pay, but definitely a lot of work.

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Denise ([02:59](#)):

Yeah, it's a lot of work.

Speaker 2 ([03:00](#)):

And how many hours, sorry, go ahead.

Taylor ([03:03](#)):

You would get tips. So it depends on the group, but some groups would tip really well. So yeah, sometimes you would make out in tips the same amount that you might've been paid by the company.

Speaker 2 ([03:16](#)):

Is that how crew was counting on kind of, I don't want to say making ends meet, but would most crew be like, oh man, I hope we get tip good this time.

Taylor ([03:26](#)):

Well, yeah, I mean, any service industry, you're hoping for good tips.

Speaker 2 ([03:31](#)):

And I don't just ask in the sense of obviously anyone would like a tip.

Taylor ([03:36](#)):

Right. Right.

Speaker 2 ([03:36](#)):

But as far as we're saying the wages were pretty low. I think we're in agreement, people were really hoping more than normal, I would guess that you were getting good tips because the pay was low. Is that-

Taylor ([03:51](#)):

Yeah, I mean, it would definitely make a huge difference in your season total. But the deal with those boats is you're not leading a normal life when you're living on there full-time. So you don't have to pay rent in town. You're not buying food every day. So the deal, as far as when I worked there full-time, and I was a lot younger, and the way I looked at it is, you work hard for a season. You have these amazing experiences out there. You learn a lot.

([04:27](#)):

You get to be in a neat place and you literally cannot spend money if you wanted to because you're out there, you don't have to pay rent and-

Denise ([04:36](#)):

They don't make you pay for the food.

Taylor ([04:38](#)):



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No. You get all the food. So yeah, I agree. It's like when it comes down to the dollar for your hour, it doesn't line up with typical stuff on shore, but as far when I'd come to an end of the season, at that time, I mean even still that was, I had never accrued that much money. That's what it was, is come November you had a stack.

Speaker 2 ([05:07](#)):

And so year round, there'd be trips, but there would be kind of a high season, kind of a low season.

Taylor ([05:13](#)):

Oh yeah, absolutely.

Speaker 2 ([05:14](#)):

And when it was high season, you would do a lot of back to back trips, most of the boats. Is that right? So a lot of back to back trips. What about the days? I think you were saying that there was pretty long work days. Is that right?

Taylor ([05:28](#)):

It can be, just situational. Depends on the trip. If it's a dive trip, those you tend to be busier because you're filling tanks. And it depends how aggressive the divers are. If they're lobster divers, they tend to want to hit as many spots as they can and dive all day. In the summer, you might get a smaller group that there's 15 people and they're casual photographers and they might do three dives a day. So you take the busy trips with less busy trips.

Speaker 2 ([06:10](#)):

Gotcha.

Taylor ([06:11](#)):

Sierra Club, you transfer them to the island and then you have time off basically. I mean, you're on the boat, but...

Denise ([06:20](#)):

Yeah. Yeah.

Speaker 2 ([06:22](#)):

Thinking about that lawsuit for pay, was it your thought that Glen was frugal overall or cheap? He just didn't want to pay? Did you ever get that impression or did people talk about that?

Taylor ([06:38](#)):

I can't speak to the lawsuit because I was a thing. I knew that had happened, but I didn't pay attention to details.

Speaker 2 ([06:48](#)):

Did people say that he was just cheap or that he didn't pay good? Or was there any complaints amongst crew about that?

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Taylor (06:55):

I mean, certainly overall people always wish they would get paid more and I think at times, yeah, people definitely feel like they work a lot for the amount of pay they're getting.

Speaker 2 (07:07):

Gotcha.

Taylor (07:09):

So I was happy to see the new... They came out with sometime in the last year, they raised the wages and I don't know, it's more than when I was younger, so I was like, well, that should be happening.

Denise (07:37):

Was that as a result of this case?

Taylor (07:37):

No, no, no. That was like, I don't know, maybe a year ago. I just remember looking at the check and going, whoa, now I get 170 or 160 or whatever it is, instead of, I think when I used to do it was like 140 or something.

Speaker 2 (07:51):

Gotcha.

(07:54):

What's your overall impression or thought on deckhands being able to react to an emergency company-wide? What's your level of confidence that if there was a major event like flooding, fire or man overboard, let's just say your average, your general deckhand from Truth Aquatics, what's your level of confidence in them?

Taylor (08:23):

I would say fairly good. It's obviously very situational, but when you say average deckhand, I think of the deckhands that I mostly knew there of the last 10 years, which were fairly experienced. And if there were an emergency, yeah, I'd feel fairly confident with most of the people I'm thinking of in mind, but I don't...

Speaker 2 (08:51):

And is there a way to capture why you feel confident about them in a sentence or so?

Taylor (08:56):

Because it's a serious job and they actually face, I mean, the emergencies that happen the most on those boats are dive related. And I would say once a trip, it depends on the people, but sometimes you have panicky divers that get in and 99% of the time there's no actual injury other than they're having a panic attack. So a lot of these deckhands are safety divers. I mean all of them. So I mean, I've done countless amount of water rescues and so dealing with that emergency situation, you kind of see how somebody reacts when they're put in an emergency. And I'm sure there's been deckhands who didn't... Maybe that wasn't a fit and then you knew and they didn't do the job anymore. You know what I mean?

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If you weren't comfortable in being able to go rescue somebody in the water, that was a really big important part of your job.

Speaker 2 ([10:12](#)):

I gotcha.

Taylor ([10:14](#)):

Then you would probably be let go because-

Speaker 2 ([10:14](#)):

Gotcha. Go ahead.

Denise ([10:20](#)):

Everybody we've talked to, they always talk about the dive safety being fantastic. And kind of what you just said, you talked about safety, trusting the deckhands to respond, but never without being prompted. Has anybody said that they can respond to a fire or flooding or man overboard, they kind of tie in with the diver, but as is when there's a fire or flooding, how would those people respond?

Taylor ([10:54](#)):

Well, I mean, I can't speak to that because I haven't seen them in that situation, but I guess what I was trying to convey is that knowing that I've seen them in other emergency situations and how they handled the stress of that and the timely manner that needs to happen, that the original question was my feeling of how they would be and my feeling is based on what I've seen them do in those scenarios, that they would be responsive.

Speaker 2 ([11:28](#)):

And then I guess, is it accurate to say that it's then not based on actually seeing them perform the drills? Because sounds like the drills were only performed during the COIs, so you're carrying over and I see what you're saying. I think I'm understanding you. I've seen them in an intense situation, so I would assume they'd be good in this other intense situation, but not that I've ever seen them do an actual drill or simulation for a fire or flooding, other than COIs.

Taylor ([12:00](#)):

I mean, I've witnessed the drills and I would say they did them good, but the thing is, no matter how many drills you do, it can never imitate the intensity of the real thing. So when I think of something real happening, to me, that carries more merit than-

Speaker 2 ([12:23](#)):

Absolutely.

Taylor ([12:25](#)):

And it all across the board in the... So I haven't been on board when there was flooding or a fire or any of those boat issues. So I gave the example of the divers. There's also things have happened with the

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anchors or maneuvering of the boat and there's tense situations here and there. And seeing how they react in that is my best way that I see to judge them of how they would react in an emergency.

Speaker 2 ([12:57](#)):

Sure, Sure. I hear you. Charging phones, laptops, batteries, et cetera, on the boats. Where would you mostly see that done and just tell us in a nutshell kind of your experience with that?

Taylor ([13:12](#)):

Yeah, done in the galley, that's where the outlets are and kind of just-

Speaker 2 ([13:17](#)):

Sorry, do you mean in the salon area or-

Taylor ([13:19](#)):

In the salon. Yeah.

Speaker 2 ([13:19](#)):

Gotcha.

Taylor ([13:19](#)):

Yeah.

Speaker 2 ([13:23](#)):

And so on an average day, sorry to interrupt, but on an average day you come down from the bridge and let's say it's the evening, you go to get your banana or whatever usual or your fruit, and you're looking out on the salon, there's nobody there. How many things do you see charging on average? A lot, A little, nothing?

Taylor ([13:44](#)):

Yeah. Depends on the trip. If it's a photographer trip and all the divers are out of the water, then they'd typically be charging their batteries.

Speaker 2 ([13:56](#)):

Gotcha.

Taylor ([13:59](#)):

But there's outlets that go the whole length of the salon, so they'd be like all kind of have it all spread out, I guess.

Speaker 2 ([14:11](#)):

Did you ever see stuff plugged into power strip kind of jobs? You plug the power strip in and it gives you now five more plugs and then you plug into those plugs?

Taylor ([14:22](#)):

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I can't recall exactly how it is. I know there's multiple plugs along the side. I don't remember if it's a power strip that was permanently mounted there or...

Speaker 2 ([14:31](#)):

Sure. That's a question. Did you ever see a permanently mounted power strip anywhere, like multiple plugs?

Taylor ([14:38](#)):

I can't remember.

Speaker 2 ([14:39](#)):

What about just portable ones that maybe passengers or crew would bring?

Taylor ([14:43](#)):

I'm sure passengers used those.

Speaker 2 ([14:45](#)):

Was there any kept on the bridge of conception?

Taylor ([14:49](#)):

I can't recall.

Speaker 2 ([14:50](#)):

Okay. What's the Taylor, the biggest thing you saw being charged, so to speak, down there in the salon or anywhere else for that matter?

Taylor ([15:00](#)):

I mean, I can't recall a specific detail, but I would imagine the bigger camera batteries would, I don't know, that side or so.

Speaker 2 ([15:15](#)):

Okay. And appreciate that. And where were the places you said you could light off the fire pump from on conception?

Taylor ([15:21](#)):

Oh, well, you could start it from the deck, but when we would test it, we would test it from the motor control in the engine room.

Denise ([15:32](#)):

Could you start it on the port and starboard side of the deck or just the port?

Taylor ([15:37](#)):

I can't remember. I can't remember.

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Denise ([15:40](#)):

Is it near the hoses or-

Taylor ([15:42](#)):

Yeah, I think it's right next to the hose. I remember it being on the port side, but I can't remember if there was another one on the starboard side.

Speaker 2 ([15:51](#)):

And how did you come to that knowledge of that being on the port side?

Taylor ([15:55](#)):

It was showed to me when we were training when I first learned.

Speaker 2 ([16:03](#)):

Formal or informal training?

Taylor ([16:05](#)):

Formal, you're on the boat, you're new, let's take a walk around the boat.

Speaker 2 ([16:12](#)):

Who would do that?

Taylor ([16:15](#)):

Jerry, or maybe one of the more experienced deckhands or second captains that was there before me.

Speaker 2 ([16:23](#)):

Did you ever see Glen doing that specific training for people, walking them around, showing them where stuff was?

Taylor ([16:30](#)):

I can't recall. No. I mean, usually the captains would take care of training the crew most of the time.

Speaker 2 ([16:38](#)):

Okay. Do you remember where the fire extinguishers are located on conception?

Taylor ([16:46](#)):

Not perfectly. There's one in the wheelhouse. There's one in the galley, there's one in the bunk room. I think there's one in the shower area as well. There's the CO2 suppression system. I think there's one in the salon as far as there's one in the galley and then one against the wall. I'm trying to paint pictures in my head I can see it and I can't imagine if I'm just imagining it there or-

Speaker 2 ([17:19](#)):

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Yeah. What about the one on the bridge? Whereabouts was that one at, if you can put yourself mentally there on the bridge?

Taylor ([17:27](#)):

I believe it was next to the trash can on the port side, just mounted on the wall.

Speaker 2 ([17:34](#)):

Okay.

Taylor ([17:34](#)):

Next to the sliding door that would go to the wing station.

Speaker 2 ([17:37](#)):

Did you have to open a hatch or something to get to it or a cubby or anything, just hanging there?

Taylor ([17:42](#)):

It was just hanging. Just one of those little latches.

Speaker 2 ([17:46](#)):

We talked a little bit earlier about electrical stuff. Do you recall there ever being any issues with the generators?

Taylor ([17:54](#)):

Sure. We've had impellers go out, had to replace those.

Speaker 2 ([18:04](#)):

How about this question? Could you turn everything on the boat in the galley itself? Let's say the aft barbecue filling tanks from every possible compressor on board. Could you have every light on everywhere, everything turned on at the same time and running?

Taylor ([18:24](#)):

I can't say for sure, but I know that there was never a, "Oh, don't do that and that at the same time." You could always go around and do whatever you needed without worry about it.

Speaker 2 ([18:37](#)):

And is that your recollection for truth, conception, vision, or all of them?

Taylor ([18:42](#)):

All them.

Speaker 2 ([18:43](#)):

Okay. Gotcha. Do you know if... We may have touched on this before, but I know we kind of said it was like company-wide was more or less this whole thing of the roving patrol, kind of the culture about it.

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But Jerry specifically, we talked about him being a stickler for some things. Did he ever assign that or was he a stickler for that? Did you ever under any circumstance hear him talk about assigning a patrolman overnight or a roving watch?

Taylor ([19:23](#)):

Only specifically about when we were underway night watch.

Speaker 2 ([19:29](#)):

So who was going to be piloting?

Taylor ([19:32](#)):

Yeah. Who takes what shifts.

Speaker 2 ([19:34](#)):

Gotcha. Any recent maintenance that you've been hearing chatter about to the boats that remained vision and the truth?

Taylor ([19:48](#)):

I mean, I just hear the most minimal of chatter of... I heard Glen's working on it and-

Denise ([19:59](#)):

Working on what?

Taylor ([20:00](#)):

I heard he is working on the vision. And then I looked at their site last night and it said something about making adjustments according to maybe new regulations or whatever the NTSB and the Coast Guard conclude might need to be done. And so I'm not sure exactly what he is doing. I haven't been down there, but I heard that he is been working on it.

Speaker 2 ([20:24](#)):

And did you hear anything in particular that he's working on, that he's changing, updating?

Taylor ([20:30](#)):

No.

Speaker 2 ([20:31](#)):

Okay. Gotcha. Do you know if you were talking about that a little alarm panel on the bridge right of conception, and you said when you would take over, you would just buzz it right and make sure it worked?

Taylor ([20:45](#)):

It might have been on the truth. I can't remember if it was the same system on the conception.

Speaker 2 ([20:52](#)):



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Did conception have an alarm panel though as well?

Taylor ([20:54](#)):

Yeah.

Speaker 2 ([20:56](#)):

Do you ever recall getting an actual alarm ever on the conception?

Taylor ([21:02](#)):

We would get bilge alarms occasionally, for example, the-

Speaker 2 ([21:07](#)):

Other than bilge alarms?

Taylor ([21:11](#)):

No, because I think it's just the bilge and the fire alarms are what's up there and I never had a fire alarm.

Denise ([21:18](#)):

You had said earlier that we talked about a firearm board and you said that they burned stuff in the galley, that the smoke alarm or any alarm go off for that?

Speaker 2 ([21:27](#)):

As if there was ever a fire on board. And you just mentioned the galley may have black-

Denise ([21:32](#)):

They burned food. Yeah.

Taylor ([21:34](#)):

Yeah. There was never a fire when I was on board.

Denise ([21:37](#)):

But did the alarm ever go off when everything smokey?

Taylor ([21:40](#)):

I can't remember which boat it is, but there's one of them that I think when there would be lots of steam or smoke in the galley that it would go off.

Speaker 2 ([21:51](#)):

Gotcha. Okay. Taylor, have you talked with Glen whether by person, phone, email, text since the incident?

Taylor ([22:03](#)):

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No. I mean at the vigil, I gave him a hug and we were all sad and he's got a lot of stuff to deal with, so I figured my personal knowledge or of anything that's going on is the least important, so I try not to bug him.

Speaker 2 ([22:26](#)):

When you hugged him, did you guys exchange words at all?

Taylor ([22:31](#)):

I mean, I'm sure we just... I can't remember specifically. Probably just said hey.

Speaker 2 ([22:39](#)):

So no email, phone call, texts, nothing with him?

Taylor ([22:42](#)):

No.

Speaker 2 ([22:42](#)):

Okay.

Taylor ([22:43](#)):

One time I drove by the vision, I was coming off the dock on another personal boat and he said hi, and he told me they were having a COI that day.

Speaker 2 ([22:56](#)):

He was on the dock?

Taylor ([22:57](#)):

He was on the vision, and my friend was driving the boat and I mean, this is probably totally irrelevant, and I think he was getting close so that we could talk to one of the deckhands just about maybe, do you want to go out to the islands this weekend?

Speaker 2 ([23:15](#)):

One of Glen's deckhands?

Taylor ([23:17](#)):

Yeah. And then Glen came out and said, "Hey Taylor, we're having a COI, so maybe don't."

Speaker 2 ([23:28](#)):

Gotcha. Who was the deckhand you guys were inviting out?

Taylor ([23:33](#)):

Andre Gusto.

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Speaker 2 ([23:35](#)):

And have you talked with him since the incident?

Taylor ([23:39](#)):

The night of the vigil, we hung out afterwards.

Speaker 2 ([23:44](#)):

Gotcha.

Taylor ([23:44](#)):

But I mean, everybody's, for me, having somewhat of a distance compared to the full-time crew and the people that were actually involved in the incident, I feel like my role is to be supportive of them. And when they're getting interviewed by FBI and Coast Guard, it's the last thing I want to do is talk to them about that thing. I just want to be there for them.

Speaker 2 ([24:14](#)):

Sure.

Taylor ([24:15](#)):

If they need a hug and if they want to talk about it. But I haven't cried anybody by any means because I feel-

Speaker 2 ([24:22](#)):

You talked to Jerry at all?

Taylor ([24:25](#)):

I'm the last person that needs to know. No, I haven't talked to Jerry.

Speaker 2 ([24:27](#)):

What about any employee of Truth Aquatics?

Taylor ([24:33](#)):

I mean, obviously I've talked to my sister.

Speaker 2 ([24:39](#)):

And that one deckhand, we were just talking about.

Taylor ([24:43](#)):

Andre.

Speaker 2 ([24:43](#)):

That you invited him out to the island.

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Taylor ([24:45](#)):

Yeah, I mean, I haven't had any personal sit down like this with anybody.

Speaker 2 ([24:50](#)):

Sure.

Taylor ([24:51](#)):

Other than-

Speaker 2 ([24:52](#)):

So whether it was your sister or Andre or anyone else, what, if anything, was discussed about the nature of the fire or what happened?

Taylor ([25:05](#)):

I mean, yeah, obviously just the big mystery of how... I mean, I haven't talked with Andre or I've talked with my sister about it, of just how it could go up in flame so rapidly because running through the systems, there's no propane. There's a five gallon gas tank that sits on the back of the boat that if that ignited, it's hard to imagine it when engulfed the entire boat, like what seems like happened. And the big mystery to me, and I'm saying this because this is probably what I said with my family, and you're asking about those conversations is just how does not one person get out?

([26:00](#)):

That's the big... Is how does it spread so rapidly that not one person could make it?

Speaker 2 ([26:08](#)):

Gotcha.

Taylor ([26:09](#)):

So right now, and I haven't looked intensely at every detail in every article that's come out because there's so much stuff. And honestly a lot of crap out there. When news reports first come out, they don't have a clue. They just report whatever. And so I haven't paid attention a ton of that. I don't know if there's details that I don't know about that have come out, but my just initial gut response is, it's a mystery that something could be so rapid spreading that not one person could make it out of the bunk room. If they go up and down those ladders or the staircase, they know exactly where it is.

([26:59](#)):

I was talking with another guy. He was saying, I feel like even if there were flames at the top of the staircase, he said, "I feel like if there was no other way out that you would try to run through it. And especially being on a boat, you caught fire, you could jump straight overboard." And I said, "Obviously you don't know until you're in that situation, but I feel like I would do the same thing." I think I would out of 30 people or however many. If we have those thoughts, you think at least one person might try that.

Speaker 2 ([27:41](#)):

Did the person who offered that opinion to you, were they an employee of Truth?

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Taylor ([27:46](#)):

Yeah.

Speaker 2 ([27:46](#)):

Who's that?

Taylor ([27:48](#)):

John Valcones has worked in the past.

Speaker 2 ([27:51](#)):

In what position?

Taylor ([27:53](#)):

Second captain.

Speaker 2 ([27:55](#)):

Is he around? What's his...

Taylor ([27:58](#)):

Yeah, he works on the Danny C. I know he is... I don't know if he's interviewed with you guys. I know he is done some interviews.

Speaker 2 ([28:06](#)):

Really?

Taylor ([28:07](#)):

Yeah.

Speaker 2 ([28:08](#)):

Can we just jot his name down? I'm not popping into.

Denise ([28:11](#)):

You don't know that one?

Speaker 2 ([28:12](#)):

Do you know it?

Denise ([28:13](#)):

No.

Speaker 2 ([28:15](#)):

It's not coming to mind. Do you know how to spell his last name?

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Taylor ([28:22](#)):

No, his name is John. Danny's the boat that he's on.

Denise ([28:26](#)):

Oh, I'm sorry.

Taylor ([28:30](#)):

Last name. I think it's V-A-L-C-O-N-E-S.

Denise ([28:35](#)):

It might be IS, it might sound familiar to me. Okay. John Valcones.

Speaker 2 ([28:37](#)):

And the boat's, the Danny what?

Taylor ([28:42](#)):

The Danny C.

Denise ([28:43](#)):

S-E-A?

Taylor ([28:43](#)):

No, just a C letter. Yeah.

Speaker 2 ([28:47](#)):

Of course it is.

Denise ([28:48](#)):

That's why I can never find boats. Do you have his contact information or anything?

Taylor ([28:54](#)):

I don't have John's, no.

Denise ([28:55](#)):

Okay.

Speaker 2 ([28:56](#)):

Does he live in Santa Barbara?

Taylor ([28:58](#)):

He lives in Carp, yeah. Carpenter, which is just 10 miles.

Speaker 2 ([29:03](#)):

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Gotcha. Appreciate that.

Taylor ([29:05](#)):

So yeah, that's just the biggest... A lot of people thought scuba tanks explode. They don't explode. They can pressurize and explode, but it's not a fire. Diesel doesn't ignite. You can throw a match on diesel and it's not... Obviously once it gets going. So just in my head, running through all the systems and how I know the boat, what I know it to be, it's just kind of a radical scenario to me that something would happen so quick and rapidly that not one person could get out. And I think, I don't know what the consensus is now, but I don't know what the latest details are, but it seems like to me, it might be the battery, the lithium batteries exploding, because I know when those things go, they are really hot.

Denise ([30:09](#)):

Where would there be lithium batteries?

Taylor ([30:10](#)):

Well, if they were charging in the gallery.

Denise ([30:13](#)):

Oh. Oh.

Taylor ([30:13](#)):

Yeah. So I mean obviously I don't have... It's just narrowing down what it could be.

Speaker 2 ([30:22](#)):

Yeah.

Taylor ([30:22](#)):

It's just like, it's out of options in my mind.

Speaker 2 ([30:29](#)):

What was the kind of culture for smoking and vaping on board? How was that controlled or not controlled? Was there smoke areas? Was there policies on that? How did that work on any of the boats?

Taylor ([30:44](#)):

I don't know if there's any recent policies, but I mean you couldn't smoke indoors obviously. It kind of just was the common courtesy. If it was a trip full of lobster divers or sometimes we'd get these Korean groups and they tended to smoke a lot. If all of them liked to smoke, I mean, obviously they weren't allowed to do it inside anywhere, but then they would smoke on the back deck at their leisure. If it were a trip that there's only a couple smokers and there's 30 other people that don't, then it would kind of be like, go downwind of everybody or go up to the bow or kind of common courtesy.

Speaker 2 ([31:36](#)):

And what would people do with the butts?

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Taylor ([31:39](#)):

Well, ideally they would throw them away, but I can't speak with everybody. They would put them out in the mask rinser, so I'd see sometimes, which is water and then just throw them away.

Speaker 2 ([31:51](#)):

So sometimes, but there was no rules. People would put it out in the mask rinser and then put it in where? Throw away?

Taylor ([32:00](#)):

Don't recall any rules.

Speaker 2 ([32:02](#)):

Did you ever see people throwing them in the trash can? Okay. The crew members that were underway the night of the fire you've been underway with Jerry, with Mikey, who else?

Taylor ([32:22](#)):

Milton.

Speaker 2 ([32:23](#)):

Milton?

Taylor ([32:24](#)):

Yeah. And I don't believe I know anyone else that was on the boat.

Speaker 2 ([32:30](#)):

Do you know Colin?

Taylor ([32:31](#)):

No.

Speaker 2 ([32:32](#)):

Okay.

Taylor ([32:33](#)):

Is he the one that broke his leg?

Speaker 2 ([32:35](#)):

No, that was the Ryan Sims, the galley first.

Taylor ([32:40](#)):

Okay. No, I didn't know Colin.

Speaker 2 ([32:43](#)):



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So the guys that you did know onboard the boat that were there, did you know about any or hear about any animosity falling out, upset, mad, anything going on with anyone on the crew to include Jerry?

Taylor ([33:00](#)):

No. I mean Jerry was...

Speaker 2 ([33:05](#)):

And to include Allie as well.

Denise ([33:07](#)):

Jerry was what?

Taylor ([33:11](#)):

Well, I was just going to say Jerry kept his crew in order, so I'm sure there's a sigh here and there when he got it. But I was pretty out of touch with that crew. I didn't know of any scenarios where people were mad at each other or something.

Speaker 2 ([33:26](#)):

Did you know the female crew member?

Taylor ([33:28](#)):

Is that Allie? No, I didn't.

Speaker 2 ([33:30](#)):

You never met her or anybody?

Taylor ([33:31](#)):

No, I knew just my sister is very wrapped up in things. She gets very emotional and so I just heard her talk about Allie and she was fresh-faced, excited to work on the boats.

Speaker 2 ([33:48](#)):

Who's your sister employed by right now?

Taylor ([33:53](#)):

I don't know the name of the company. Some boat in Long Beach.

Speaker 2 ([33:58](#)):

Is she employed by Truth at all anymore?

Taylor ([34:04](#)):

I assume so. I don't think she had any official firing or I'm leaving, but it's just there's no work there right now. So she got another job.

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Speaker 2 ([34:12](#)):

Is she residing there or staying up here?

Taylor ([34:16](#)):

I think she's residing there. She kind of seems back and forth. Yeah.

Speaker 2 ([34:21](#)):

Do you think she'd be willing to talk with us?

Taylor ([34:26](#)):

I don't know. She sounds like she is, but she's also, I mean, in honesty, she stresses out when it's foggy outside or she just very easily has a bad day.

Speaker 2 ([34:45](#)):

Sure.

Denise ([34:45](#)):

How old is she?

Taylor ([34:48](#)):

31. So I don't know if she'd be willing to talk to you. I know if she did, it would be a very stressful event.

Denise ([35:00](#)):

Shouldn't be stressful. I'll come talk to... I'll come with them.

Speaker 2 ([35:07](#)):

Can I read a couple numbers to you and you let me know if they're accurate for her? One ends in 7769.

Taylor ([35:17](#)):

That's accurate. But that's the old home phone number.

Speaker 2 ([35:20](#)):

No. And the other is 2769.

Taylor ([35:22](#)):

That's right.

Speaker 2 ([35:23](#)):

That's her cell.

Taylor ([35:24](#)):

Yeah.

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Speaker 2 ([35:26](#)):

Okay. And I'll ask you just as a favor, just to please reach out to her and I'll give you my card obviously, and just tell her that we'd like to speak with her and she's an employee there or was an employee and we would just like to see if she's willing to meet and something very similar to this, just informal, wherever she wants to meet, whenever she wants to meet for however long she wants to meet. But all these little bits of data really help. I mean, they really do. And that's the reality of it. So certainly, I would think that if you were in our position that you would want to collect as much of the data and facts as you could because we have the families of 34 people.

Taylor ([36:16](#)):

Absolutely.

Speaker 2 ([36:17](#)):

That we really hope to provide as best of an answer as we can, provide all the facts that we can. So I would just ask you to do that if you don't mind, and we'll see.

Taylor ([36:31](#)):

Yeah.

Denise ([36:32](#)):

Are you done with that list? Do we want talk about surveys?

Taylor ([36:35](#)):

Can I use the restroom?

Speaker 2 ([36:36](#)):

Yeah, go for it.

Taylor ([36:36](#)):

Drinking the Pellegrino also, if you guys need to.

Speaker 2 ([36:40](#)):

Roger that. Thank you. So I'm pretty much done.

Denise ([36:45](#)):

Oh, you got to push them.

Speaker 2 ([36:46](#)):

Just a couple more at the very end here just to sort of wrap it up and if you want to go back over anything.

Denise ([36:53](#)):

Do we want talk about those in these? Did we do this?

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Speaker 2 ([37:02](#)):

This, we talked about and he said it was like 50 50. But that, we don't talk about.

Denise ([37:05](#)):

Well, and I saw a bunch of writing on these regarding that.

Speaker 2 ([37:09](#)):

Oh, okay. Gotcha. Yeah, we can go there. Yeah, I think we're pretty much there.

Taylor ([37:14](#)):

All right.

Denise ([37:29](#)):

Are you staying up here or are you coming back?

Speaker 2 ([37:33](#)):

Ventura. Well, I guess technically Oxnard and Bush. I'm right off the freeway there.

Denise ([37:37](#)):

Do you have blanket orders?

Speaker 2 ([37:41](#)):

Yeah.

([37:41](#)):

Was Brian's last day next Wednesday as well?

Denise ([37:53](#)):

Who?

Speaker 2 ([37:53](#)):

[inaudible 00:37:54].

Denise ([37:53](#)):

I have no idea.

Speaker 2 ([37:53](#)):

Paul's in yours, isn't the next one? Yeah,

Denise ([37:56](#)):

He was supposed to initially. I thought it was only two weeks.

Speaker 2 ([37:59](#)):

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For who? Oh.

Denise ([38:00](#)):

Do you guys have anybody coming out after calling Rick?

Speaker 2 ([38:11](#)):

It's been discussed. I should say it's been floated. There's really no hard and fast answer yet, but hopefully by the end of tomorrow we can have a better answer for that. So I think we're going to start wrapping it up here, Taylor, Denise has a, I think one or two things we'll go over and then I'll finish it up, I think.

Denise ([38:33](#)):

The surveys that you gave to the customers that came out on the... A lot of them I saw on there. I think the question is what do you think needs to be improved on? Or what would you improve if you could?

Taylor ([38:49](#)):

So the surveys are generally geared towards the service of the crew, I guess. So in regards to that or just in general about the-

Denise ([39:04](#)):

What I saw a lot of people, or I shouldn't say a lot, but many of them I saw talked about they wished that they would've got the safety briefing quicker or sooner or the tour of the boat or the layout of the boat sooner rather than waiting until right before the dive or after getting underway. So when did you guys do the safety brief? Was it hard and fast before you got underway or as you were getting underway or when you got on site? Or how did you guys do that?

Taylor ([39:36](#)):

It was the morning when we were on site at the first dive site.

Denise ([39:42](#)):

So then technically, you could have been underway overnight or they come early in the morning, so they could be sleeping underway, transiting to your dive site and really only have knowledge of their walkway to wherever they were sleeping.

Taylor ([40:00](#)):

That is entirely possible.

Denise ([40:03](#)):

So they don't really know the how to navigate the boom or the ship.

Taylor ([40:08](#)):

Yeah, I mean there's signs out that tell you where the live jackets are and how to dawn it. And there's the big sign on the hatch and there's... I've never been on a trip where there wasn't somebody, usually the organizer, the charter master who knew the boat well.

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Denise ([40:35](#)):

Oh, you're sending people that... Okay.

Taylor ([40:36](#)):

Yeah. But yeah, the safety, so they would find their way around the boat or know what to do because of those guys. Or sometimes we would be on the boat as they were loading and we would help them do stuff. But the overall safety briefing was always done in the morning before the first dive. And to that point, what they're probably talking about is that sometimes the divers are frustrated at how long we do the safety briefing because they want to go diving. So you pull up to the dive site and they're all putting their wetsuits on getting ready to go. And then you say, "Okay, everybody in the galley, we're going to talk at you for 30 minutes."

Denise ([41:27](#)):

Is it 30 minutes? It takes about 30 minutes to go through?

Taylor ([41:29](#)):

Probably depends on the captain. But yeah, there's definitely seen it go 30 minutes many times. And so I would say if you've seen that as a complaint in the comment sheet, it's often because the divers are like, "Let's get this over with. We want to go dive."

Denise ([41:48](#)):

They want it sooner rather than, okay. Before getting on site.

Taylor ([41:49](#)):

They look at it-

Speaker 2 ([41:50](#)):

They want it to be over so they can go diving.

Taylor ([41:54](#)):

Yeah. They look at it as when you're on the airplane.

Denise ([41:59](#)):

I was going to say.

Taylor ([41:59](#)):

Nobody wants to listen to that. They're like, "Okay, let's take off already. I want to watch my movie." That's how they look at it.

Denise ([42:06](#)):

Now do you explain to them, I don't, don't know how big the boat is, but do you explain to them it's big on galley, it's big on dive safety, it's big on a bunch of other stuff, but are they briefed on what to do if there is a fire or where to muster or who to take commands from? Or does any of that come... I didn't see any of that on there.

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Taylor ([42:32](#)):

Yeah, I would assume it's part of the safety briefing, but I can't recall exactly.

Denise ([42:39](#)):

Or flooding.

Taylor ([42:41](#)):

Yeah.

Speaker 2 ([42:42](#)):

Gotcha. Okay. So we talked about your sister a little bit. Hopefully we can set that up.

Taylor ([42:55](#)):

I think her boat's supposed to take off to Mexico pretty soon.

Speaker 2 ([43:00](#)):

How soon is pretty soon?

Taylor ([43:01](#)):

Well, I know she's... I'm catching a ride with her down there tonight. I don't know if that means they're leaving the next couple days or if she just has to provision more.

Speaker 2 ([43:11](#)):

The boat's out of Long Beach?

Taylor ([43:12](#)):

Yeah.

Speaker 2 ([43:13](#)):

And how long is that trip to Mexico?

Taylor ([43:17](#)):

I don't know because of reasons I've said to you. I kind of, me and her don't communicate well.

Speaker 2 ([43:23](#)):

Sure.

Taylor ([43:24](#)):

And so I kind of stay out of her business.

Speaker 2 ([43:26](#)):

Sure.

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Taylor ([43:27](#)):

I know loosely what's going on.

Speaker 2 ([43:28](#)):

Okay. Well, yeah, I'll give you two of my cards. And Denise, she has cards as well, and you can have her call me or call Denise or whatever. But we would just love to talk with her just for a few minutes to try and set up to meet with her. And if she literally says, I just have 30 minutes, we'll just meet her for 30 minutes. Perfectly fine.

Taylor ([43:49](#)):

Cool.

Speaker 2 ([43:50](#)):

Other than her, if you were in our shoes, who would you talk to about having to piece this puzzle together?

Taylor ([44:01](#)):

I can't think of anyone in particular that I-

Speaker 2 ([44:05](#)):

Assume we've talked to. No one.

Taylor ([44:07](#)):

Oh, okay.

Speaker 2 ([44:07](#)):

Well, because sometimes people are-

Taylor ([44:10](#)):

I mean, I assume, obviously you've talked to Glen and you've talked to the crew that was on the boat, and I think piecing together how the business was operated from employees, like you've done with me and Pat. I mean, yeah, I can't think of anyone in particular.

Speaker 2 ([44:30](#)):

Okay. That's cool. No, that's fine.

Taylor ([44:40](#)):

The people on the back. Yeah. To me it's like the guy I know that Jerry is, like I said, he'll wake up if the wind switches and he's on high alert all the time. It's very apparent that in that last radio transmission where it's obvious that he's engulfed in smoke, he's having trouble getting it off. And I know if there was a small fire on the back deck or anything, he would make a radio transmission to the Coast Guard as even if the people were down there getting it out in five seconds, he is the kind of guy that would make a transmission as a precaution. So just the fact, to me, that he wasn't able to get that off before he was already engulfed in smoke is just shows that it was incredibly rapid. And that's just what's kind of mind-



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boggling to me is how could something go up so fast and what could it have been if it either lithium batteries exploding. I know that happened on another local boat, Condor Express, that's what they determined happened and it burned down the wheelhouse when it was at the dock.

Speaker 2 ([46:05](#)):

What year was that?

Taylor ([46:07](#)):

Oh, that was probably six or seven years ago, but nobody was on board.

Speaker 2 ([46:11](#)):

Gotcha. Okay.

Taylor ([46:13](#)):

So I think they concluded that it was probably the batteries and the VHF radios exploded.

Speaker 2 ([46:19](#)):

Oh, wow.

Taylor ([46:20](#)):

So either that or something that is a one in just a terrible misfortune of events that, I mean, literally those boats had run thousands of trips for decades. And so whatever it was, was just such an unfortunate series of events.

Speaker 2 ([46:47](#)):

Have you had firefighting training outside of truth? Have you ever, for your merchant mariner credentialing?

Taylor ([46:56](#)):

I mean, not beyond what they make you do for the hundred ton masters that I have.

Speaker 2 ([47:02](#)):

Gotcha.

Taylor ([47:02](#)):

I know when you go for 200 ton, they do more in depth firefighting. Pretty much just on paper, read this and answer the questions.

Speaker 2 ([47:11](#)):

And based off that training and your experience of being on boats and even wooden boats like these, would you agree that it's easier to combat a fire at its inception when it first starts, or in general? Is that safe to say?

Taylor ([47:29](#)):

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Absolutely.

Speaker 2 ([47:30](#)):

Would you agree, Taylor, that a roving watch does not mean being asleep?

Taylor ([47:38](#)):

Yes.

Speaker 2 ([47:39](#)):

Gotcha. Is there anything else you want to add to anything we talked about today or that you concerned about? Anything you weren't clear on or any topics that, or maybe even any questions that we didn't ask that you want to talk about or any topics, anything like that?

Taylor ([47:57](#)):

Not yet that I can think of. I hope I answered as clearly as I could.

Speaker 2 ([48:03](#)):

No, we really appreciate it. We do. I appreciate your time.

Taylor ([48:07](#)):

It's things like not every industry is perfect, and I don't know if I've ever been on a boat that it just seems like the enforcement and regulations would have to be much more strict for boats to fully comply with every little thing. And so it's tough to sit here and you say, "Did you know that the head was being dumped out?" And it's like, "Yeah. And I know that wasn't right." So it's scary because those things are incriminating towards me. But like you said, there's heavier things and so I hope I answered.

Speaker 2 ([48:57](#)):

No, you did. And we appreciate your honesty. We certainly do. The last thing I want to talk about is we would ask that you be very careful if at all, that you speak about what we talked about today with anyone else. And the reason why I say that is because when people get to talking about these interviews with other people, there's a potential for their story to change or for it to damage the integrity of the investigation. And if something like that were to happen, then what could happen is the shift of the investigation be turned to the people who were talking about what they discussed with the investigators. Does that make sense?

Taylor ([49:56](#)):

Yeah.

Speaker 2 ([49:56](#)):

So we can't tell you who to talk to and who not to talk to, but I would just caution you and let you know that that's a possibility. And if it's up to you, it's at your discretion a hundred percent. And I just want to make you aware of that.

Taylor ([50:15](#)):

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Yeah.

Speaker 2 ([50:17](#)):

Is that more or less-

Taylor ([50:18](#)):

Yeah, yeah. I mean, for me it's like, I don't know, but I assume you guys have talked to quite a few people, so... Yeah, I just wanted to say it how it is. Even though I know not everything's perfect.

Speaker 2 ([50:36](#)):

Yeah. In other situations, under other circumstances, we have people sign forms saying that I understand all of this, and we're not going to do that with you here today, but we just want to make you aware of that. And it's your discretion.

Taylor ([50:53](#)):

Yeah. Well, I want to know what happens, because I'm still in this industry and on behalf of everyone who has the biggest loss you can have, it's like, honestly, I thought because it was Coast Guard, I didn't really know. I thought it was going to be geared towards like, oh, regulations, what can we do? I didn't know this was so much about a criminal investigation, which is totally fine, obviously. So that's why I'm here to talk to you guys because I want you guys to be able to do your job the best you can. And if I can help do that, it's like-

Denise ([51:40](#)):

And not have this happen again.

Taylor ([51:41](#)):

Yeah, exactly.

Denise ([51:42](#)):

Both of those things you said are what's happening. All of this data and information that we're collecting is going to be sent up, it's going to be presented, it's going to be out there for everyone to see, and then decisions can be made from there. Does that make sense?

Taylor ([51:58](#)):

Yeah.

Denise ([51:59](#)):

Well, cool. I appreciate that. And if there's nothing else that you can think of, we'll secure the recording and here's the two cards from me.

Taylor ([52:07](#)):

Okay.

Denise ([52:08](#)):

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And one for you and one for your sister, if you don't mind.

Taylor ([52:11](#)):

All right.

Speaker 2 ([52:12](#)):

And yeah, I don't know. You got anything else? Thanks.

Denise ([52:15](#)):

Nope. End of interview. 3:54.

Speaker 2 ([52:18](#)):

Awesome.

# **EXHIBIT F1**

**[Audio]**

**Manually filed with the Court**

# **EXHIBIT F2**

**[Audio]**

**Manually filed with the Court**

# EXHIBIT G

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Jaime Ray: Go ahead.

Brian De Jesus: All right. Today's date is October 24th, 2019. Time is currently 11:08 AM. Currently present for the recorded interview is Brian De Jesus. That is myself employed with the FBI as a special agent. Also present today is Jaime Ray with the Coast Guard Investigative Services. And being interviewed today is Mathew Curto, [00:00:30] who is a former second captain working for Truth Aquatics Incorporated. And we'll begin the interview now.

Jaime Ray: All right, sir. So again, thanks for making yourself available to us today, and appreciate you inviting us into your house here. And if you need to take any breaks anytime or make a phone call, go check in on anything. We're happy to accommodate that.

Mathew Curto: Okay.

Jaime Ray: [00:01:00] If you want to stop at any time, let us know. If there's any answer that you don't want to give, that's perfectly fine. That's up to you. If there's a topic you don't want to talk about, just let us know and we will, we'll work around that. And the one sort of thing that we have to let you know is that the only thing that could potentially put someone sideways in these situations is if you were to lie to us about anything we ask you about. So once again, it's totally [00:01:30] within your right to just flat out not answer us, but we would ask you and just please let you know that if you do lie or minimize or embellish similar type things, then one of the things that could happen is you could be prosecuted for that thing and we certainly don't expect any issues there, but we just need you to know that. Any questions about that?

Mathew Curto: Nope, not at all.

Jaime Ray: Great. Thank you. So what we'll do is we'll [00:02:00] just get started and if you don't mind, just tell us about a little bit about your path to becoming a credentialed aariner and sort of your experience. I know sometimes those can be long stories, but if...

Mathew Curto: I'll show you.

Jaime Ray: If there's a way to wrap that up a little more concise. So your path to becoming a credentialed merchant mariner, and then your path to working at truth.

Mathew Curto: So it started in New York where I'm from working on a boat as a deckhand. [00:02:30] I moved out to California in '93 or '94, I'm not sure the exact date.

And moved to Solvang and owned an ice cream store. Did that for about a year and a half and couldn't stay landlocked. So went down to Sea Landing Truth Aquatics and spoke to a boat called the Condor, which was a fishing boat. And [00:03:00] he said, yeah, I could hire you, but not as a deckhand. You need to



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have a license. I need a second captain. So in October of '95, I received my captain's license and started working for Condor, which was H and M Landing, and worked for the Condor from '95 until 2013. When I left the Condor [00:03:30] Express at that time to go work for Clean Seas, I worked for Clean Seas for four years. Clean Seas was bought out by SRC. I worked for them for two years, and now I work for CMC Boats.

Jaime Ray: Okay.

Mathew Curto: In the meantime, while I was working on the Condor, I filled in occasionally, maybe once a year for Truth Aquatics.

Jaime Ray: Is this Condo [00:04:00] Express? Sorry.

Mathew Curto: Yes.

Jaime Ray: Okay.

Mathew Curto: If that, I didn't work for them much. It looked like I was going to get a lot more work recently because my schedule was three weeks on, three weeks off, and Inga was texting me, but it just never worked out. Just my schedule with me getting off and what they needed [00:04:30] just didn't work out. But I did wind up filling in on a four day between MSRC and CNC boats when I was let go from MSRC.

Jaime Ray: Gotcha.

Mathew Curto: Before I started with CNC boats. CNC boats, they have to do a federal background check because they're working for ExxonMobil.

Jaime Ray: Gotcha.

Mathew Curto: So they do, it takes three weeks.

Jaime Ray: Oh.

Mathew Curto: So two to three weeks. So that's why there was a buffer there of me not working. [00:05:00] And I did fill in on a four day trip.

Brian De Jesus: When was that?

Mathew Curto: I don't know the exact date.

Brian De Jesus: What year?

Mathew Curto: This year.

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Brian De Jesus: Oh, this year. Okay.

Mathew Curto: It's sometime between May 13th and June 8th. I think it was close about, if I would say about May 20th.

Jaime Ray: Gotcha. So you first became credentialed in what year?

Mathew Curto: '95.

Jaime Ray: And which credential was that?

Mathew Curto: [00:05:30] Hundred Ton Master.

Jaime Ray: Gotcha. And have you ever exceeded that?

Mathew Curto: No.

Jaime Ray: Uh-huh. Hundred ton? Okay. And what was your, I guess how many years overall would you say you have experience as a merchant mariner coming up in the [inaudible 00:05:47]?

Mathew Curto: 35 years.

Jaime Ray: Wow. Okay. Great. And what year did you start working for Truth?

Mathew Curto: I don't know. I honestly couldn't tell you.

Jaime Ray: As in, it was quite some time ago? [00:06:00] A long time.

Mathew Curto: Oh, yeah, yeah, yeah. You know what? Like I said, I would fill in here and there. They would call up or they'd be walking by and be like, ask me and Ron, which at that point, in the beginning it was Ron was the main captain on the Condor, and I was more of a second captain and I worked gak and galley when we were just doing day trips. Well watching. So for me to be able to get off, if they were in the jam, they'd say, Hey, I got a trip leaving [00:06:30] in two days and we have no second. And we're really desperate.

Jaime Ray: Gotcha.

Mathew Curto: I would fill in, but if I filled in for them 10 times, that would be a lot.

Jaime Ray: Sorry, this is overall?

Mathew Curto: Overall, yeah.

Jaime Ray: Even way back?

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Mathew Curto: Oh, yeah. From 95 till now, maybe 10 times.

Jaime Ray: Wow. So only about 10 total trips.

Mathew Curto: Right.

Jaime Ray: For Truth Aquatics as a second captain?

Mathew Curto: Second, always as a second captain.

Jaime Ray: Gotcha. All right. And [00:07:00] those 10 trips, which vessels were they on?

Mathew Curto: The Truth and the Conception. I've never worked on the.

Brian De Jesus: Mission?

Mathew Curto: Vision.

Jaime Ray: Gotcha. Okay. Appreciate that. And so I guess this may be hard to answer then. Who technically hired you then from Truth?

Mathew Curto: Nobody really. I mean, the thing is, because we're at the [00:07:30] same landing and we all used the same drug consortium back then, you could just jump from boat to boat without having to be in their drug program. Because we were all ASTS, Bob Shoning back then. And you could jump from boat to boat without. Nowadays, it's totally different. Even if you...

Jaime Ray: What's ASTS?

Mathew Curto: American Testing Services or something

Jaime Ray: That's the consortium for... Okay.

Mathew Curto: Yeah, that's the consortium. They were out of Ohio or something.

Jaime Ray: Gotcha.

Mathew Curto: [00:08:00] You you'd be able to just work, especially out of the same landing.

Jaime Ray: I see.

Mathew Curto: Nowadays, you can't do that. You have to, they put you in their drug program, which if you're ASTS and you're ASTS, it's real easy. You just call ASTS and you say...

Jaime Ray: Okay, no, no problem.

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Mathew Curto: So it was easy for me. So nobody really...

Jaime Ray: Gotcha.

Mathew Curto: Hired me.

Jaime Ray: So who do you understand to be the boss?

Mathew Curto: Oh yeah, I should say that. Yes, because I signed paperwork. I did [00:08:30] recently, Inga. I signed paperwork with Inga and Katie. Katie Fitz. She gave me a packet.

Brian De Jesus: Gotcha.

Mathew Curto: That I had to sign. And that was recently, that was just maybe a year ago?

Jaime Ray: Okay. And what was the packet?

Mathew Curto: Just the captain's packet. You know, drug letter, what to expect, you know, what to expect of you.

Jaime Ray: Do you have a copy of any of that?

Mathew Curto: I don't.

Jaime Ray: Did you sign it and you gave it back to them?

Mathew Curto: [00:09:00] Yeah.

Jaime Ray: Okay. And sorry, going back just momentarily, who do you understand to be the owner or manager?

Mathew Curto: Glenn Kressler is the owner.

Jaime Ray: Gotcha.

Mathew Curto: But you really never see him. He's around once in a while.

Jaime Ray: I see. Do you recall the papers that you signed having emergency procedures, emergency protocol review?

Mathew Curto: I believe so, but I'll be honest, I believe so, but I'm not a hundred percent.

Jaime Ray: Sure, that's fine.

Mathew Curto: But I'm pretty sure it talked about man [00:09:30] overboard. It talked about fire, it talked about...

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Jaime Ray: And if you can try to think about that.

Sorry, Matt was your first name again?

Mathew Curto: Yes, sir.

Jaime Ray: I'm sorry. A lot of names.

Mathew Curto: It's okay.

Jaime Ray: A lot of names lately.

Mathew Curto: Okay.

Jaime Ray: Plus I've only had one coffee.

Mathew Curto: Do you want a coffee? I got coffee.

Jaime Ray: Maybe in a few. I might take you up on that. Thank you. So Matt, do you recall, as you're thinking back to that packet and that you're kind of seems to be jogging your memory about [00:10:00] some emergency procedure stuff, do you recall it being like a general topic or was it like, in case of flooding, step one, step two, step three.

Mathew Curto: Can I go look in my bag real quick?

Jaime Ray: Absolutely.

Mathew Curto: Pause that. I might have a copy of it.

Jaime Ray: Sure, absolutely.

Mathew Curto: I might have a copy.

Brian De Jesus: Pausing now for retrieval of documents.

Jaime Ray: 11:20.

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Ryan ([00:02](#)):

Time is 11:23 AM, October 24th. We are continuing with the interview of Matthew [Curdle 00:00:10], who was unable to retrieve documents for his new paper hire, and we're continuing the interview.

Speaker 2 ([00:18](#)):

Appreciate you are looking for that, Matt.

Matt ([00:19](#)):

Yeah, no problem.

Speaker 2 ([00:20](#)):

Do you prefer Matt or Matthew?

Matt ([00:21](#)):

Matt is fine.

Speaker 2 ([00:23](#)):

Got it. Yeah. So we couldn't pin down really when you started, but would you say it was like mid '90s? Is that-

Matt ([00:33](#)):

Yeah.

Speaker 2 ([00:33](#)):

... what I think I heard you say? Got you.

Matt ([00:34](#)):

'95.

Speaker 2 ([00:35](#)):

'95? Okay. And then about 10 total trips. And they were on Vision and-

Matt ([00:39](#)):

No.

Speaker 2 ([00:40](#)):

I'm sorry, everything except Vision, Conception and Truth. Got you. Did you do a check ride, a deadhead? Did anybody take you out your first couple of times to make sure you're good to go?

Matt ([00:53](#)):

No.

Speaker 2 ([00:55](#)):

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Did you hear of Glen or anyone else doing things like that, like taking out a guy, a potential second captain-

Matt ([01:01](#)):

Oh yeah.

Speaker 2 ([01:01](#)):

... running them through the paces? And who would do that?

Matt ([01:04](#)):

Well, the trip I was on recently, we had a deadhead.

Speaker 2 ([01:08](#)):

Got you.

Matt ([01:09](#)):

I don't remember his name. I think it was Brian.

Speaker 2 ([01:12](#)):

And for our purposes, what was the last trip you did with Truth Aquatics?

Matt ([01:20](#)):

That was May, approximately May 20th.

Speaker 2 ([01:22](#)):

You said May 12th here, I think to June 8th? That's what you mentioned here?

Matt ([01:28](#)):

That's correct.

Speaker 2 ([01:29](#)):

... between that date, that was your last four-day trip?

Matt ([01:31](#)):

That was a four-day trip.

Speaker 2 ([01:32](#)):

I appreciate that. So May this year, right?

Matt ([01:35](#)):

Yes.

Speaker 2 ([01:35](#)):

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Got it. All right. So back to the, do you remember who the ... You said Brian was the guy?

Matt ([01:41](#)):

I think his name was Brian, but I'm not sure. He was from Tahoe. He had a big license. He deadheaded on the trip. He was looking to run the Truth. He was going to be a full-time captain on the Truth.

Speaker 2 ([01:55](#)):

I'm guessing his last name was Pridden, Brian Pridden. Does that sound familiar?

Matt ([02:01](#)):

It does.

Speaker 2 ([02:02](#)):

He lived up near Sacramento, that area?

Matt ([02:05](#)):

That's him.

Speaker 2 ([02:05](#)):

Yeah, great. So who gave him the check ride or whatever? Who took him out?

Matt ([02:11](#)):

Well, he was on the trip that we were on.

Speaker 2 ([02:13](#)):

The May trip?

Matt ([02:14](#)):

Yeah.

Speaker 2 ([02:14](#)):

Got you, and you were second on that trip?

Matt ([02:18](#)):

That's correct.

Speaker 2 ([02:18](#)):

And who was the captain?

Matt ([02:20](#)):

Jerry Boylan.

Speaker 2 ([02:21](#)):



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Got you, appreciate that.

Ryan ([02:23](#)):

Where was this? I'm sorry.

Matt ([02:23](#)):

Conception.

Ryan ([02:23](#)):

Conception, okay.

Speaker 2 ([02:25](#)):

Awesome. And how did it go with Brian?

Matt ([02:30](#)):

How do you mean?

Speaker 2 ([02:30](#)):

He did a check ride, right?

Matt ([02:31](#)):

Oh yeah, he was good.

Speaker 2 ([02:33](#)):

Good to go?

Matt ([02:35](#)):

He was good. Yeah.

Speaker 2 ([02:35](#)):

Any issues?

Matt ([02:36](#)):

They didn't give him any wheel watches or anything. He didn't do-

Speaker 2 ([02:40](#)):

When you say they, you mean Jerry?

Matt ([02:41](#)):

Jerry didn't give him any wheel watches. He kind of just filled tanks and watched around, and just saw how the operation went.

Speaker 2 ([02:52](#)):

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Got you. And what was your impression of Brian overall as a Mariner?

Matt ([02:57](#)):

Good. Really good.

Speaker 2 ([02:59](#)):

Really good?

Matt ([03:00](#)):

I think he was holding a 500 ton, which he got doing missionary work on a hospital ship.

Speaker 2 ([03:08](#)):

Oh, cool.

Matt ([03:10](#)):

But yeah, really nice guy.

Speaker 2 ([03:14](#)):

Did you find him to be untrustworthy at all, at any point?

Matt ([03:17](#)):

Brian?

Speaker 2 ([03:18](#)):

Yeah.

Matt ([03:18](#)):

No.

Speaker 2 ([03:19](#)):

Got you. Did you observe or get the feeling that he had any friction with Boylan?

Matt ([03:28](#)):

No.

Speaker 2 ([03:29](#)):

Got you. And how did the crew receive Brian, or overall, how did they get along with him?

Matt ([03:37](#)):

It seemed good, yeah. He was a hard worker.

Speaker 2 ([03:42](#)):

Got you.

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Matt ([03:42](#)):

I mean, he was up in the morning. He just seemed like he really wanted the job and was really into it.

Speaker 2 ([03:48](#)):

Got you, appreciate that.

Matt ([03:50](#)):

He was helping me through a time. I was going through a difficult time on that trip.

Speaker 2 ([03:55](#)):

I see.

Matt ([03:56](#)):

I just had my mother pass. I had my sister pass-

Speaker 2 ([03:58](#)):

Oh, wow.

Matt ([03:59](#)):

... and I lost my job.

Speaker 2 ([04:01](#)):

Oh, I'm sorry to hear all that.

Matt ([04:04](#)):

I had three major things within three months, so I was going through some pretty difficult times on that trip.

Speaker 2 ([04:09](#)):

And he was kind of helping you out?

Matt ([04:10](#)):

Yeah.

Speaker 2 ([04:11](#)):

Well, good to hear. So back on this training aspect. So guys like Brian would have a check ride. Who overall would you say was the people who evaluated? So Jerry-

Matt ([04:25](#)):

Jerry, yeah.

Speaker 2 ([04:26](#)):

... and who else from the company evaluated?

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Matt ([04:30](#)):

The senior deckhand would watch over.

Speaker 2 ([04:32](#)):

Got you.

Matt ([04:34](#)):

I'm sure of that.

Ryan ([04:36](#)):

Would Glen do it? Would Glen make trips, I thought you said earlier?

Matt ([04:38](#)):

No, not that I know of. Glen did run trips here and there, but he didn't come out and watch over-

Speaker 2 ([04:45](#)):

[inaudible 00:04:46].

Matt ([04:46](#)):

Yeah, he didn't watch over the new hires. With that company-

Speaker 2 ([04:51](#)):

Got you.

Matt ([04:51](#)):

... he'd be out every single day. They have a big turnover because they don't pay for crap.

Speaker 2 ([05:00](#)):

Wow, that summarized it pretty well.

Matt ([05:02](#)):

He paid me, I think a buck 60 for-

Speaker 2 ([05:04](#)):

Got you.

Matt ([05:08](#)):

... a second captain or for an overnight. It's nothing.

Speaker 2 ([05:14](#)):

No, I hear you. Go ahead.

Ryan ([05:14](#)):

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I'm just going to circle back real quick, so we won't skip it and it won't go on the back burner. But you said you filled out the paperwork with Inga when you first were hired?

Matt [\(05:22\)](#):

Katie Fitz gave me the paperwork. I filled it out, delivered it back to them within a couple of days. It's when my boat was in Santa Barbara. Delivered it back to them in a couple of days. I think I gave it to Katie and Inga, and that's when I met Inga.

Ryan [\(05:40\)](#):

Okay. So then my question was, since you had done 10 previous trips before, what prompted them to, I guess, make you fill out this paperwork now?

Matt [\(05:49\)](#):

I think that's new paperwork.

Ryan [\(05:51\)](#):

It was brand new paperwork-

Matt [\(05:52\)](#):

I don't know how long, but keep in mind that I haven't worked for them in-

Ryan [\(05:58\)](#):

2013 was the last time you were with the Condor you said, right?

Matt [\(06:01\)](#):

Yeah, but I-

Ryan [\(06:02\)](#):

You had worked-

Matt [\(06:03\)](#):

Yeah. If I was to guess, once we got the Condor Express, which was 2002, I don't think I ever worked for them from 2002 all the way till-

Ryan [\(06:14\)](#):

Till now.

Matt [\(06:17\)](#):

... '19. Yeah.

Speaker 2 [\(06:17\)](#):

Oh wow, so that was a pretty big break.

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Matt ([06:18](#)):

Yeah, that was a very big break. Because it was told, right after we got the Condor Express-

Speaker 2 ([06:24](#)):

Got you.

Matt ([06:24](#)):

... Ron left and I became the number one captain, so I couldn't take time off.

Speaker 2 ([06:30](#)):

Was there ever a fire on the Condor Express?

Matt ([06:33](#)):

Oh, yes.

Speaker 2 ([06:33](#)):

Can you tell us a little bit about that?

Matt ([06:34](#)):

Oh yeah, it took \$800,000 worth of damage.

Speaker 2 ([06:39](#)):

What year was that roundabout?

Matt ([06:40](#)):

'13.

Speaker 2 ([06:43](#)):

'13? Okay.

Matt ([06:44](#)):

My boss died three days later the boat caught on fire.

Speaker 2 ([06:50](#)):

Wow.

Matt ([06:50](#)):

Yeah. Fred had cirrhosis, real painful, long-drawn-out, year and a half in and out of the hospital. And they finally moved him from hospice to his house, which is up above sea landing there. It overlooks beautiful. Put him in front of his nice big window and ... I don't know. Heroko called me on a ... his wife called me on a Monday I believe and said, "You need to come up. You need to say your goodbyes."

Speaker 2 ([07:18](#)):

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Got you.

Matt ([07:18](#)):

I said goodbye to him and he passed.

Speaker 2 ([07:23](#)):

I'm sorry to hear that. So just to kind of ferret that out, what was your understanding of what happened with the fire? Was it at anchor? Was it underway? Was it at the dock?

Matt ([07:34](#)):

No, it was at the dock.

Speaker 2 ([07:36](#)):

And it was investigated, I'm sure?

Matt ([07:38](#)):

Yeah, but very loosely.

Speaker 2 ([07:40](#)):

What do you mean?

Matt ([07:42](#)):

The girl that investigated it really couldn't pinpoint anything. She said; "I think it happened here, but I'm not sure."

Speaker 2 ([07:50](#)):

Who is she from, or what's her [agency 00:07:51]?

Matt ([07:51](#)):

Santa Barbara Fire Department.

Speaker 2 ([07:52](#)):

Got you.

Matt ([07:57](#)):

Nobody was hurt, just our boat was damaged. No other boats were damaged.

Speaker 2 ([08:04](#)):

So let me make it more pointed then. What did she think happened or didn't happen, and what do you guys think happened or didn't happen?

Matt ([08:12](#)):

She was positive it didn't start under the dashboard, okay?

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Speaker 2 ([08:17](#)):

On the bridge?

Matt ([08:18](#)):

On the bridge, yeah. It started on the bridge. She was positive it didn't start under the dashboard. Because a lot of stuff under the dashboard wasn't ... like my computer was still in ... She's pretty sure it started on the port side of the dashboard. I had two things on the port side of the dashboard. I had a 12-volt GPS, fused, and I had a 110 handheld radio in its charger. So she thinks ... not sure, she thinks the lithium-ion battery in that charger probably overheated-

Speaker 2 ([08:58](#)):

In the radio, you mean?

Matt ([08:59](#)):

... in the radio probably overheated.

Speaker 2 ([09:02](#)):

Interesting.

Matt ([09:03](#)):

But she couldn't pinpoint it.

Speaker 2 ([09:05](#)):

And what do you think?

Matt ([09:07](#)):

I have no idea. It burned fast and hot.

Speaker 2 ([09:11](#)):

What's the construction of the boat?

Matt ([09:13](#)):

It's aluminum.

Speaker 2 ([09:14](#)):

Aluminum?

Matt ([09:14](#)):

Yeah. I got pictures, but it destroyed the wheelhouse. It was all teak. The whole wheelhouse was all teak, all oiled teak, so the fire burned fast and hot.

Speaker 2 ([09:27](#)):

Got you. Was Glen made aware about the fire?



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Matt ([09:31](#)):

Yeah.

Speaker 2 ([09:32](#)):

What was his thoughts on it?

Matt ([09:34](#)):

We all talked amongst boats. And when she said she thought it was over on that side, I told everybody that there were two things there; a fused GPS, which if something happens to it, it's going to blow the fuse and you're going to ... And a 110 ...

Speaker 2 ([10:00](#)):

Radio.

Matt ([10:00](#)):

... radio that was in the charger plugged in.

Speaker 2 ([10:02](#)):

Got you.

Matt ([10:02](#)):

So nobody really pinpointed exactly what it was.

Speaker 2 ([10:09](#)):

Got you, and in all your experience-

Matt ([10:11](#)):

And there's other people that think my boss hired somebody and said, "When I die, go to the boat and light the boat on fire." There were speculations of that.

Speaker 2 ([10:22](#)):

Wow, did they tell the investigators that?

Matt ([10:25](#)):

No. I think that was just-

Speaker 2 ([10:25](#)):

I got you.

Matt ([10:27](#)):

It never really materialized like this. It's just okay, boat fire. She came down, she looked around. She determined that it burned really hot, that there was no accelerant because it burned so hot because of the oil on the teak.

This transcript was exported on Apr 28, 2023 - view latest version [here](#).

Speaker 2 ([10:41](#)):

Got you.

Matt ([10:42](#)):

We oiled it once a month, once every two months.

Speaker 2 ([10:49](#)):

So Glen didn't say anything specifically that you recall about that fire? You said you all talked about it a little bit. But he knew that it had happened, obviously.

Matt ([10:58](#)):

Yeah, he knew there was a fire.

Speaker 2 ([11:00](#)):

So speaking of things charging, have you in your career ever heard of anything like that happening on a ship, that a battery-

Matt ([11:07](#)):

Never. Never.

Speaker 2 ([11:10](#)):

On the Truth Aquatics vessels that you were on, just tell us real briefly, Matt, about what things got charged where. What was common?

Matt ([11:25](#)):

Way back when, everything wasn't chargeable. When I worked a lot of it was just, you dumped the batteries in a five-gallon bucket they had, and you just put new batteries in. Nowadays, everything's rechargeable; cameras, lights. The trip I was on, there wasn't much being charged.

Speaker 2 ([11:47](#)):

How much is much, I guess?

Matt ([11:49](#)):

There was a laptop. There was maybe a dive computer here or there. Up on top, I don't know about the bunk room.

Speaker 2 ([11:57](#)):

So when you say 'up on top,' you mean the salon?

Matt ([11:59](#)):

Yeah.

Speaker 2 ([11:59](#)):

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So people were mostly [inaudible 00:12:00]?

Matt ([12:01](#)):

So from what I understand with the boats, they usually have a table in the galley if there's a photography group out. And that's where they charge their cameras, their lights. But I'm not positive of that. The only reason I heard about that is when the national park boat hit ... the Truth Aquatics boat hit the Vision. The guy who was on the boat said, "We're lucky it hit when we were charging all our cameras, because everybody was sitting eating dinner." They said if we weren't, if it was from the other side, it probably would have killed somebody.

Speaker 2 ([12:44](#)):

Were they anchored when they got hit?

Matt ([12:45](#)):

Yeah.

Speaker 2 ([12:46](#)):

Was it at night?

Matt ([12:48](#)):

In the evening, yeah, Kyle Harbor.

Speaker 2 ([12:50](#)):

What year was that?

Matt ([12:50](#)):

I don't remember.

Speaker 2 ([12:50](#)):

More than 10?

Matt ([12:54](#)):

Probably about 10 years ago.

Speaker 2 ([12:55](#)):

Oh, okay. Did you ever see any power strips? You know those [inaudible 00:12:59], plug it in, and you got five more plugs. Did you see those on the boats?

Matt ([13:04](#)):

I honestly can't remember.

Speaker 2 ([13:07](#)):

Did you see them on the bridge at all?

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Matt ([13:10](#)):

Not that I remember. I remember there was a little portable heater.

Speaker 2 ([13:14](#)):

Yeah, on the bridge?

Matt ([13:15](#)):

Yeah, on the bridge.

Speaker 2 ([13:18](#)):

Of which boat?

Matt ([13:19](#)):

On the Conception.

Speaker 2 ([13:21](#)):

Okay. Was there any rules or regulations that you recall for how many things could be charged, where they could be charged?

Matt ([13:29](#)):

Not that I know of.

Speaker 2 ([13:30](#)):

Was there any rules or regulations on smoking, where people could smoke, where they couldn't smoke?

Matt ([13:36](#)):

Out on deck was the only regulation.

Speaker 2 ([13:40](#)):

And what did they do with the butts?

Matt ([13:42](#)):

I don't remember because I don't smoke.

Speaker 2 ([13:44](#)):

Got you.

Matt ([13:47](#)):

We're talking divers, I mean, most of them ... the trip I was on, I don't think there was a smoker.

Speaker 2 ([13:59](#)):

Interesting. Got you. So in your time off and on Truth Aquatics, back to the training topic, what did Truth provide to you in the way of training?

This transcript was exported on Apr 28, 2023 - view latest version [here](#).

Matt ([14:11](#)):

When I got on the boat, the night I got on, Jerry pointed out all the safety gear.

Speaker 2 ([14:18](#)):

To whom?

Matt ([14:20](#)):

To me.

Speaker 2 ([14:21](#)):

This was the May trip?

Matt ([14:23](#)):

Yeah. Fire hoses-

Speaker 2 ([14:26](#)):

What did he tell you about ... Sorry to interrupt. What did he tell you about the fire hoses?

Matt ([14:30](#)):

Where they were located.

Speaker 2 ([14:32](#)):

Was this a conversation on the bridge?

Matt ([14:35](#)):

We kind of walked around a little. He just wanted to re-familiarize me with the boat because it was so long. Told me now he has a health issue. He was on different medicines. So if something happens, to make sure that I pass on that he is on medicine.

Speaker 2 ([14:51](#)):

Oh, I got you.

Matt ([14:54](#)):

He pointed out the fire extinguishers, what the safety procedures were if there is a fire or if there is a man overboard.

Speaker 2 ([15:04](#)):

What did he say specifically about if there was a fire, what were those procedures?

Matt ([15:08](#)):

The procedures were to fight it, in case the automatic didn't go off in the engine room where the pole was. That's mainly what it was.

This transcript was exported on Apr 28, 2023 - view latest version [here](#).

Speaker 2 ([15:17](#)):

Now, you mean an engine room fire?

Matt ([15:20](#)):

Correct.

Speaker 2 ([15:20](#)):

What discussion was had about an on-deck fire, or as they say, an Alpha fire, like wood is on fire or a trash can?

Matt ([15:30](#)):

There wasn't.

Speaker 2 ([15:31](#)):

He didn't talk about anything about that?

Matt ([15:33](#)):

No, just where the portable fire extinguishers were.

Speaker 2 ([15:35](#)):

Did he point out where the actual fire hoses were?

Matt ([15:38](#)):

Yeah.

Speaker 2 ([15:39](#)):

And do you know how to light off the fire main system?

Matt ([15:44](#)):

I don't. I didn't.

Speaker 2 ([15:44](#)):

Did he go over that with you on that?

Matt ([15:46](#)):

He didn't.

Speaker 2 ([15:48](#)):

So he pointed out the hoses but he didn't-

Matt ([15:50](#)):

Yeah, I didn't know how to turn them on.

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Speaker 2 ([15:51](#)):

Do you remember there was a little box that opens up?

Matt ([15:54](#)):

That's correct.

Speaker 2 ([15:54](#)):

Did he ever open that box?

Matt ([15:56](#)):

No, he just pointed out where the hoses were.

Speaker 2 ([15:58](#)):

Got you. So to this day you couldn't tell us how to turn on-

Matt ([16:00](#)):

No.

Speaker 2 ([16:01](#)):

... the fire main on the Conception? Got it. So I'm hearing that Jerry gave you a quick re-familiarization in general with boat safety when you got back. In all your time on Truth, was there ever any formal training giving to you by the company?

Matt ([16:19](#)):

What do you mean by formal?

Speaker 2 ([16:21](#)):

Anything, could be first aid.

Matt ([16:23](#)):

I was never involved in a Coast Guard inspection.

Speaker 2 ([16:27](#)):

No, no, not an inspection. We'll get to that later. I'm just saying general training for proficiency, so say drills. Did you ever do a man overboard drill?

Matt ([16:39](#)):

No.

Speaker 2 ([16:39](#)):

Did you ever do a flooding drill?

Matt ([16:41](#)):

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No.

Speaker 2 ([16:41](#)):

Did you ever do a firefighting drill?

Matt ([16:43](#)):

No.

Speaker 2 ([16:44](#)):

Did you know if there was any sort of a training program in place at all from Truth?

Matt ([16:49](#)):

That I couldn't tell you. I don't know because I don't work there.

Speaker 2 ([16:55](#)):

Got you. Okay, appreciate that. We'll go to a different topic here. I'll just remind you briefly again, Matt, that your honesty in this area is extremely important. And again, you don't have to answer if you don't want to. What do you understand, was there ever a roving watch at night on the vessels while at anchor?

Matt ([17:20](#)):

While at anchor? To my knowledge, I don't know. I know when the boat ... That night I got on the boat, Jerry went over briefly. He said, "Get some sleep because it's going to be a long ride." They woke me up and I took the wheel. Now they have autopilots on the boats, they didn't back then. I drove to, I believe we went to Catalina that night. I drove the boat and I think we got there like eight or nine in the morning.

Speaker 2 ([17:54](#)):

This is the May trip?

Matt ([17:55](#)):

Yeah.

Speaker 2 ([17:56](#)):

Okay. So you get to Catalina eight, nine in the morning, and then they're diving all day?

Matt ([17:59](#)):

Yeah.

Speaker 2 ([18:00](#)):

And then that night you're anchored still or you re-anchored?

Matt ([18:02](#)):



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Yeah.

Speaker 2 ([18:04](#)):

And then what happened that night?

Matt ([18:04](#)):

We went to bed.

Speaker 2 ([18:07](#)):

Who went to bed?

Matt ([18:09](#)):

Everybody.

Speaker 2 ([18:10](#)):

Did you hear anything about, hey Matt, sorry man, you got watch tonight, I want you up and about?

Matt ([18:17](#)):

No.

Speaker 2 ([18:17](#)):

Was there ever a watch list posted anywhere, whether it was for [helm 00:18:21] time or at night?

Matt ([18:23](#)):

No.

Speaker 2 ([18:24](#)):

Was an anchor alarm set?

Matt ([18:26](#)):

Yes, I believe. I believe, I can't be positive.

Speaker 2 ([18:30](#)):

You didn't set it?

Matt ([18:31](#)):

No, I did not set it.

Speaker 2 ([18:33](#)):

Got you. So on those trips that you've made over the years with the vessels, except for the Vision, did you ever hear or perform or task anything about a roving watch?

Matt ([18:46](#)):

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No.

Speaker 2 ([18:48](#)):

Do you know what Glen's knowledge was about having a roving watch?

Matt ([18:52](#)):

I don't.

Speaker 2 ([18:54](#)):

Got you. Do you know what the COI of a vessel is?

Matt ([18:59](#)):

Of course I do.

Speaker 2 ([19:00](#)):

Got you. And if a captain fails to comply with the stipulations of a COI, would you say that he's negligent in his duties?

Matt ([19:14](#)):

Yeah. But every boat has a different COI, so you don't really know what the regulations are on each boat.

Speaker 2 ([19:25](#)):

Sure. But in that same vein, it sounds like you're saying the captain is responsible to know the COI. Is that what I'm hearing?

Matt ([19:35](#)):

Oh yeah, like the boat I'm on, I-

Speaker 2 ([19:35](#)):

Got you. Were you ever shown the COI by anyone, or gone over it with anyone?

Matt ([19:41](#)):

No. I didn't even look at it, to be honest with you.

Speaker 2 ([19:44](#)):

Got you. Were you aware, before just a moment ago, that there was a requirement to have a roving watch, a roving patrolman on those vessels?

Matt ([19:51](#)):

I thought it depended on the COI. I didn't know it was for sure there because the trips I was on, it was never-

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Speaker 2 ([20:03](#)):

Never brought up?

Matt ([20:03](#)):

... never brought up.

Speaker 2 ([20:04](#)):

Did you work on other vessels that had a roving watch at night?

Matt ([20:08](#)):

I did.

Speaker 2 ([20:08](#)):

Did you ever talk to anyone ... or let's start here, did you think it odd on the Truth boat-

Matt ([20:15](#)):

I did, a little odd. And I worked so infrequently-

Speaker 2 ([20:18](#)):

No, that's fine.

Matt ([20:20](#)):

... if I was there a lot more, I would have probably questioned it, to be honest with you.

Speaker 2 ([20:25](#)):

You probably would have?

Matt ([20:26](#)):

Would have questioned it.

Speaker 2 ([20:28](#)):

Okay, so you didn't.

Matt ([20:29](#)):

I didn't, because I didn't even think of it, because I thought maybe their COI-

Speaker 2 ([20:34](#)):

Got you.

Matt ([20:36](#)):

... they anchor, double anchor right up close to the island and it never even crossed my mind. I don't-

Speaker 2 ([20:43](#)):

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Got you. And then you were saying you never brought it up to Glen, nor to Jerry?

Matt ([20:49](#)):

No.

Speaker 2 ([20:49](#)):

Got you. Let's see, what else? So were you ever there for a COI inspection?

Matt ([20:57](#)):

No, never.

Speaker 2 ([20:59](#)):

Did you ever hear of the crew getting any type of training formally from the company via some sort of a training program ever?

Matt ([21:07](#)):

No.

Speaker 2 ([21:08](#)):

What training, if anything, do you know happened on those boats?

Matt ([21:13](#)):

I don't know. That I don't know.

Speaker 2 ([21:16](#)):

So in all your trips you never once participated in like a drill?

Matt ([21:20](#)):

No.

Speaker 2 ([21:20](#)):

Got you, appreciate that. So it's our understanding that the vessel ... as a kind of matter of practice, that all the vessels would just open the blackwater, the sewage valve, and just let it rip within three miles, just as a matter of practice. The tanks would get full, a lot of people on board, tanks that capacity. Boom, open the valve, overboard discharge. That was a common thing, is that right?

Matt ([21:48](#)):

That I don't know, limited time on the boat. I would imagine they would have to, because a lot of times we'd spend two or three days close to the island. But back when I was there, we'd have to go way offshore of the island to get phone service, to call in food orders. Now they have that direct connect. Well, before then it was, the Gallagher would come up and be like, "Hey, we got to get this food order in." We'd take a lunch break and we'd run offshore. So did they do it then? I don't know.

Speaker 2 ([22:26](#)):

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Got you. I appreciate that. Back to that roving watch. Do you know what the manning requirement is, for example, on the Conception?

Matt ([22:32](#)):

I don't.

Speaker 2 ([22:33](#)):

How many people, six?

Matt ([22:36](#)):

That I don't know.

Speaker 2 ([22:36](#)):

Six is the number.

Matt ([22:39](#)):

Six?

Speaker 2 ([22:39](#)):

Well, I'll say that they had six crew, so they would-

Matt ([22:41](#)):

That's the thing, what's the requirement?

Speaker 2 ([22:43](#)):

Yeah. So they would have their current crew. What they would run is the two captains, two deck and two galley, right?

Matt ([22:50](#)):

Correct.

Speaker 2 ([22:51](#)):

So just going off your experience ... I know you got tons of it as a Mariner, Matt. What would you say or what's your thought on, all right, we got this many people ... or six or so, on the Conception. We leave late at night or early in the morning on multi-day trips and we run all day. They dive all day, do stuff all day. Sometimes they night-dive. It sounds like a lot of work. A lot of things are happening on these boats, right? Would you say it's possible to have a person or multiple people stand a watch all night overnight with just the six people, the way those boats run?

Matt ([23:39](#)):

Well, would I? Yeah, I think you could get it done.

Speaker 2 ([23:49](#)):

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Would it be strained or would it be easily accommodated?

Matt ([23:56](#)):

It all depends on the weather. It all depends on how many passengers. If you are at your max, 39 passengers, you're lobster diving, you're moving around.

Speaker 2 ([24:06](#)):

Yeah, got you.

Matt ([24:09](#)):

And that I know because of talking to the deckhands when they say, oh, a great lobster season's coming up. It's good money, but it's constantly moving. It's a lot of work. You're at a spot, you've got to move. You're at a spot, you've got to move.

Speaker 2 ([24:22](#)):

Got you.

Matt ([24:24](#)):

I don't know from personal experience.

Speaker 2 ([24:26](#)):

Got you, appreciate that. That's fine. In discussing this topic of a roving watch, would you say that in your years of experience as a Mariner, would you say that any part of a roving watch would consist of someone sleeping?

Matt ([24:45](#)):

No.

Speaker 2 ([24:46](#)):

Why would you say that?

Matt ([24:48](#)):

Because then it's not a watch.

Speaker 2 ([24:49](#)):

Got you. Would you consider, setting an anchor drag circle, would you consider that a roving watch?

Matt ([24:59](#)):

No.

Speaker 2 ([25:00](#)):

I see.

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Matt ([25:03](#)):

No, because an anchor drag doesn't cover if the boat's flooding. It doesn't cover if the boat's on fire. It covers the anchor drags, that's all it covers. So that's not really a roving watch.

Speaker 2 ([25:14](#)):

So what would be the importance then of having a roving watch, vice just say like an anchor drag circle?

Matt ([25:22](#)):

The importance of a ... I mean, you don't know what happens at night if nobody's up. You got 34 passengers, you don't know what they're going to do. Honestly, you don't.

Speaker 2 ([25:32](#)):

But you mentioned a couple of things. You said the anchor watch can't tell if you're flooding or if there's fire. So would that be what the roving watch is for then?

Matt ([25:43](#)):

Yeah. The roving watch is for everything, for anchor watch. They have a thing now, a watch. So you're on autopilot and they set this thing, it's a watch alarm. If you don't hit that button in 10 minutes, they'll put the boat in a circle so you can't fall asleep.

Speaker 2 ([26:11](#)):

They would use that? Or are you just saying-

Matt ([26:12](#)):

Yeah. No, I used that when I drove out, for sure.

Ryan ([26:16](#)):

With Truth?

Matt ([26:18](#)):

Yeah.

Speaker 2 ([26:19](#)):

Interesting. Okay. Did Glen specifically ever make any trips with you?

Matt ([26:25](#)):

Never.

Speaker 2 ([26:26](#)):

Never? Okay. We talked about the vessels you worked on. We talked about-

Ryan ([26:33](#)):

I got a ...

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Speaker 2 ([26:36](#)):

Yeah, go ahead.

Ryan ([26:36](#)):

So going back to I guess when passengers get on board, first day of their trip when they get on board, can you go into that procedure, how that works? From me being a passenger ... Let's say today's Thursday, my trip is Thursday today. Can you just go over the procedure of how a passenger gets on board? What's the expectations? Can you go through that procedure with me a little bit?

Matt ([27:02](#)):

I don't know the full procedure. But I know that they get on, they have to sign in. They have a manifest. The manifest has to be dropped into the landing before we leave. They put their gear, they tag their tank if they need it filled. That night I was in bed, so I don't know if a safety briefing was done before we left the dock or done in the morning. I couldn't tell you because I drove out. I went to bed, they woke me up, I drove out. I went to bed just before we got to the island. I laid down for a little bit, so I don't know if it was done at night or in the morning. I know procedure is, it should be done before you leave the dock on fishing trips.

Ryan ([27:51](#)):

And from your experience, those 10 trips in addition to the May trip when you had passengers on board, were there ever safety briefings conducted prior to-

Matt ([28:01](#)):

I believe so.

Ryan ([28:02](#)):

... prior to leaving the ship?

Matt ([28:04](#)):

We're talking 15 years ago. My memory is not-

Ryan ([28:08](#)):

Sure, that's fine.

Matt ([28:12](#)):

But I believe so. I can't say, I have never been involved before the boat took off, because I've been involved.

Ryan ([28:20](#)):

And how would that work if ... I'm assuming that what it is, is that passengers slowly start trickling in at different times. So how is it that they're receiving ... just thinking hypothetically in my head, how can there be a-

Matt ([28:35](#)):



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The crew wakes everybody up and brings everybody up on deck. They sit in the galley and talk about safety and life jackets and life rafts.

Ryan ([28:46](#)):

Okay. But you specifically weren't awoken on one of your trips ... Were you awoken before on one of your trips to participate that night before it left?

Matt ([28:56](#)):

No.

Ryan ([28:56](#)):

Okay. But from your understanding, when these safety briefings occurred when you were at least on board these ships, when did those safety briefings occur? Was it after the ship had already-

Matt ([29:04](#)):

I couldn't tell you. I'm not positive if it happened the night before or the morning of.

Ryan ([29:10](#)):

Okay, you're not sure. Okay.

Speaker 2 ([29:12](#)):

Got you.

Ryan ([29:13](#)):

It's fine.

Speaker 2 ([29:14](#)):

Was there ever any captains meetings that you know of, all the captains get together and go over anything? Did you ever hear about that or participate in one?

Matt ([29:25](#)):

No.

Speaker 2 ([29:30](#)):

Okay. Got you. What's your opinion on the level of experience for say, combating a casualty like flooding or fire that the crew would have? By the crew I mean like deckhands or galley.

Matt ([29:46](#)):

I don't know. I just met those guys. I don't know. They were there for I don't know how long. They seemed pretty competent, but I couldn't tell you what ... I know my experience is basic and advanced firefighter.

Speaker 2 ([30:03](#)):

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Got you.

Matt ([30:04](#)):

I've been through STCW training so I have probably a lot more training than-

Speaker 2 ([30:12](#)):

And based off of that firefighting training, Matt, when would you say is the best time to combat a fire?

Matt ([30:20](#)):

As early as possible.

Speaker 2 ([30:22](#)):

And why is that?

Matt ([30:23](#)):

So it doesn't get out of control.

Speaker 2 ([30:25](#)):

Got you. Okay, appreciate that.

Matt ([30:27](#)):

I mean, now you look back at that boat, everything on that boat is combustible, everything.

Speaker 2 ([30:36](#)):

Got you. I hear you. So talking about these multi-day trips, I think we've talked a little bit before about, there wasn't a watch schedule posted, right? It was just kind of, these guys would figure it out amongst each other. Is that accurate?

Matt ([30:52](#)):

Figure out what?

Speaker 2 ([30:52](#)):

There was not a watch schedule and you guys would just-

Matt ([30:55](#)):

Everybody got up in the morning. After if we did a night dive, everybody straightened the deck up.

Speaker 2 ([31:05](#)):

But there wasn't a watch posted?

Matt ([31:07](#)):

No. I could tell you the trip I was on, I was up almost 90% of the time. I had a really ... you could check my doctor's notes. I got off the boat and went straight to the doctor. I spent four days not sleeping.

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Speaker 2 ([31:21](#)):

Because of the emotional stuff going on?

Matt ([31:23](#)):

An unbelievable amount of-

Speaker 2 ([31:25](#)):

Wow. Okay.

Matt ([31:25](#)):

It was really pressing. I was sweating. My head was ...

Speaker 2 ([31:33](#)):

Yeah. No, wow. That's difficult, especially being away like that on a trip working.

Matt ([31:39](#)):

Yeah. And I committed to it and I wasn't going to go, and then I committed to it and I went. I went to the doctor right after I got off and said, "Look, I need something for sleeping. I can't sleep. I just, I'm so stressed out." Because I wasn't sure I was getting my next job. Like I said, they called me three weeks after I lost my mom, they fired me.

Speaker 2 ([32:02](#)):

That was a tough time.

Matt ([32:05](#)):

Which was six, seven weeks after I lost my sister, so it was a tough time. When I stress, I go to the bathroom a lot. I was literally up every 20, 25 minutes going to the bathroom.

Speaker 2 ([32:19](#)):

At night?

Matt ([32:20](#)):

Yeah, all night long.

Speaker 2 ([32:20](#)):

At anchor?

Matt ([32:21](#)):

At anchor.

Speaker 2 ([32:22](#)):

Did you ever notice anyone else awake, whether crew or passenger?

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Matt ([32:25](#)):

Nobody.

Speaker 2 ([32:26](#)):

Where would you use the bathroom at, Matt?

Matt ([32:27](#)):

Straight down the stairs, right in-

Speaker 2 ([32:30](#)):

On the main deck?

Matt ([32:31](#)):

So there's two here, and then there's one around the corner on the main deck.

Speaker 2 ([32:35](#)):

And remember, if you're ... and this is tough for all of us to remember. But for the audio recording, if you say there's two here, we don't know where here is.

Matt ([32:45](#)):

Just outside the galley there's a big galley door. You take one step down and there's two restrooms. And then you go around the corner to go up the ladder to the wheelhouse-

Speaker 2 ([32:57](#)):

Got you.

Matt ([32:58](#)):

... and right there is another restroom.

Speaker 2 ([33:00](#)):

Okay. So for the majority of this May trip, pretty much all the nights you were up, a lot of the night multiple times using the restroom, and did you say you never saw anyone awake-

Matt ([33:11](#)):

I never did-

Speaker 2 ([33:11](#)):

... anyone up?

Matt ([33:11](#)):

... to be honest with you.

Speaker 2 ([33:11](#)):

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Did you ever see Boylan up?

Matt ([33:13](#)):

Yeah. Oh, yeah.

Speaker 2 ([33:14](#)):

Doing what?

Matt ([33:15](#)):

Just getting up. That guy, he hardly sleeps. He sleeps pretty light. He was up and down. He would ask me, what's going on? Am I all right? I'd be like, "Yeah, I just can't sleep. I can't sleep." He'd be like, "Don't worry about it."

Speaker 2 ([33:29](#)):

What do you mean, he was up and down?

Matt ([33:31](#)):

Just he would get up, look at the radar.

Speaker 2 ([33:34](#)):

When you say get up, you mean like from a chair, get up from being asleep?

Matt ([33:38](#)):

He'd get up out of his bunk.

Speaker 2 ([33:40](#)):

Okay. And what would he do, other than ask you how you were, when he would-

Matt ([33:45](#)):

He'd look around, look at the radar, go out on the back deck, smoke a cigarette.

Speaker 2 ([33:50](#)):

What did he do with his cigarettes?

Matt ([33:53](#)):

Pinch them out.

Speaker 2 ([33:55](#)):

And then?

Matt ([33:56](#)):

I don't know where he put them.

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Speaker 2 ([33:57](#)):

Got you.

Matt ([33:58](#)):

But he definitely pinched them out. He'd never threw them in the water.

Speaker 2 ([34:03](#)):

Sorry, a moment ago you said you don't know where he put them, but then you just said he would put them in the water.

Matt ([34:08](#)):

No, he'd never ... I know he didn't put them in the water. I don't know where he would take them from there.

Speaker 2 ([34:13](#)):

Oh, I apologize.

Matt ([34:13](#)):

So he would go up, I think he had a ... now that I think about it, that boat has two wing stations out at the wheelhouse. So he would never smoke in the wheelhouse. He'd go out there, he'd shut the door, and he had a butt can out there. So that's where he would put his cigarette out.

Speaker 2 ([34:34](#)):

What kind of a can?

Matt ([34:35](#)):

I don't remember, but I remember seeing something out there.

Speaker 2 ([34:39](#)):

On both bridge wings?

Matt ([34:41](#)):

I think he would carry it back and forth. Honestly, he would carry it back and forth. And there was shifters and he would stuff it by the shifters.

Speaker 2 ([34:49](#)):

You mean on the console on the wing?

Matt ([34:52](#)):

Yeah, on the wing stations.

Speaker 2 ([34:53](#)):

So like a traveling butt can, got you. And why wouldn't he smoke on the bridge?

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Matt ([34:59](#)):

Inside? Just out of respect for ... I would imagine that's policy. I don't know.

Speaker 2 ([35:04](#)):

It was his boat, right, and he was the captain.

Matt ([35:06](#)):

Yeah. And he would ask me, "You don't mind me smoking out here? Does it bother you?" And I'd be like, "No."

Speaker 2 ([35:15](#)):

Got you. For your time on the boat in May, did you notice ... thinking of the crew members specifically I guess, could you recall the names of any other crew that was on that May trip?

Matt ([35:29](#)):

Mike, I think.

Speaker 2 ([35:30](#)):

Mikey.

Matt ([35:30](#)):

[Gallagher 00:35:31].

Speaker 2 ([35:32](#)):

Coles, Mikey Coles?

Matt ([35:34](#)):

Older guy, yeah, and his daughter. I don't remember her name. And that's it. That's all I ... And Jerry and Brian.

Speaker 2 ([35:43](#)):

I noticed you smiled a little when you said Mikey, why is that?

Matt ([35:45](#)):

Oh, he's a trip.

Speaker 2 ([35:48](#)):

What's that?

Matt ([35:48](#)):

He's a trip. He was always trying to fashion.

Speaker 2 ([35:52](#)):

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Trying to what?

Matt ([35:53](#)):

Fish.

Speaker 2 ([35:53](#)):

Oh, fish. Got you.

Matt ([35:56](#)):

Yeah, he was a trip. He was a nice guy.

Speaker 2 ([35:58](#)):

What was your take on Mikey's seamanship abilities, so to speak, if he had to act as a deckhand or anything like that?

Matt ([36:07](#)):

He was in the galley the whole time, so I don't ... He was second galley. He'd be up early preparing stuff.

Speaker 2 ([36:14](#)):

Got you. Did you ever see him up at night, those nights you were up and feeling sick?

Matt ([36:18](#)):

No.

Speaker 2 ([36:21](#)):

So if I'm understanding you, you were up many times during ... just about every night during that May trip, right?

Matt ([36:27](#)):

Yeah, a lot.

Speaker 2 ([36:28](#)):

And Mikey was on that trip, right?

Matt ([36:29](#)):

Yes.

Speaker 2 ([36:30](#)):

Did you ever see Mikey awake at night doing anything?

Matt ([36:34](#)):

Other than in the morning getting ready? He'd be up early.



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Speaker 2 ([36:39](#)):

What does that mean?

Matt ([36:40](#)):

Five o'clock, starting to get the galley ready.

Speaker 2 ([36:42](#)):

But was he getting up at all hours of the night type thing?

Matt ([36:46](#)):

Not that I saw.

Speaker 2 ([36:48](#)):

Got you. How many times a night would you say you were up?

Matt ([36:53](#)):

Oh, probably eight or 10 at least.

Speaker 2 ([36:55](#)):

All throughout the night?

Matt ([36:56](#)):

All throughout the night. I have a Fitbit. If you knew the day, I could show you it all.

Speaker 2 ([37:03](#)):

That's okay. Got you. No, I appreciate that. All right, let's see. Anything to follow up on, Ryan, while I get it going here?

Ryan ([37:13](#)):

No. I mean, you said you don't remember about the safety briefings that you [inaudible 00:37:18], especially on the May trip. You don't remember those?

Matt ([37:20](#)):

I couldn't tell you if it was done at night or in the morning.

Ryan ([37:22](#)):

But you were present while it did take place?

Matt ([37:23](#)):

No, because I don't remember it.

Ryan ([37:23](#)):

Oh, so you weren't present?

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Matt ([37:24](#)):

It could have happened while I was asleep. So I went to sleep. When I first got on the boat brief, Jerry grabbed me. Just a brief kind of safety overview; first aid kit, oxygen under here, big oxygen bottle, stuff like that. I went to bed, they woke me up. I don't know, we were probably an hour out. I drove almost all the way to Catalina. I drove for like maybe eight hours. I don't remember. The crew got up. I went back in the bunk. I didn't sleep, but I was up in a bunk in the wheelhouse.

Ryan ([38:08](#)):

Okay. So you said you don't know if it's morning or night. But there is also a possibility and you wouldn't know because you weren't present-

Matt ([38:16](#)):

That's correct.

Ryan ([38:16](#)):

... that there wasn't even a safety briefing at all?

Matt ([38:18](#)):

Oh, I couldn't tell you. There might not have been.

Ryan ([38:19](#)):

Yeah, there could have been ... Okay.

Speaker 2 ([38:25](#)):

Got it. And is there a procedure that's done if ... have you been on ships where there have been?

Matt ([38:29](#)):

Oh, yeah.

Speaker 2 ([38:31](#)):

Not with Truth. You've been on other ships, and what does that usually entail?

Matt ([38:40](#)):

The boats I were on, I ran?

Speaker 2 ([38:41](#)):

Yeah.

Matt ([38:42](#)):

You just made a safety announcement; pointed out where the life jackets were, pointed out all the life rafts, stuff like that. Please don't break out any of the safety gear. If it becomes necessary, the crew will help you. If you see something, say something to a crew. We did a lot of kid trips and you find that if it's

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not their kid, they don't care. And the kid's hanging off the side of the boat, nobody wants to say anything.

Speaker 2 ([39:12](#)):

Did they in those safety briefings ever talk about the emergency escape hatch?

Matt ([39:17](#)):

I couldn't tell you because I wasn't involved in them.

Speaker 2 ([39:19](#)):

Do you know where it was at?

Matt ([39:20](#)):

I do.

Speaker 2 ([39:21](#)):

Do you recall any crew ever showing anyone how to get up out of there?

Matt ([39:26](#)):

No.

Speaker 2 ([39:27](#)):

Do you recall them ever pointing at it and saying, hey, it's right there?

Matt ([39:29](#)):

I can't recall.

Speaker 2 ([39:30](#)):

So were you not at those meetings or you just can't recall?

Matt ([39:35](#)):

I don't think I was ever involved in a safety meeting.

Speaker 2 ([39:39](#)):

We're talking about the ones that happen the morning after usually?

Matt ([39:42](#)):

I don't know when it happened, so I don't know if they point it out because I wasn't present.

Speaker 2 ([39:47](#)):

I see. So on that May trip ... and we may have gone over this, but they woke you up that next morning after you got out to wherever you were going to. And then that morning, do you recall a safety briefing?

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Matt ([40:00](#)):

No, because I got woken up that night. The boat left I believe nine or 10 o'clock.

Speaker 2 ([40:07](#)):

That night.

Matt ([40:08](#)):

I got woken up like 11:30. I drove from 11:30 until like four in the morning. Maybe a little later, maybe six in the morning, 5:30. Then the crew got up and I laid back down. Did I go to sleep? No, but I laid back down.

Speaker 2 ([40:26](#)):

Did Jerry let you drive that night?

Matt ([40:28](#)):

Yeah, that was okay. I was okay that night. I felt okay. I thought it was something I ate.

Speaker 2 ([40:36](#)):

So then you said the crew got up, meaning that they were sleeping while you were-

Matt ([40:41](#)):

Driving.

Speaker 2 ([40:42](#)):

... navigating the boat. So essentially if there was a safety briefing, it would have to be conducted by one of the crew.

Matt ([40:47](#)):

That's correct.

Speaker 2 ([40:48](#)):

So then from 11:30 to whenever the crew got up, there essentially wouldn't have been a briefing-

Matt ([40:53](#)):

I doubt they would have did it that late. I think if they going to do it at night, you'll do it before you leave the dock.

Speaker 2 ([40:59](#)):

Exactly.

Matt ([41:00](#)):

You get everybody up.

This transcript was exported on Apr 28, 2023 - view latest version [here](#).

Speaker 2 ([41:01](#)):

Makes sense.

Matt ([41:02](#)):

Hey, we'll get ready to go. You have the crew get everybody out of their bunk, if they're in their bunk. A lot of times these boats, these people get on. They're so excited. They're getting ready to go on a four-day trip.

Speaker 2 ([41:14](#)):

Got you.

Matt ([41:16](#)):

Some of them are drinking a few beers.

Speaker 2 ([41:20](#)):

Right. Did you ever notice the crew to ever drink with the passengers?

Matt ([41:25](#)):

Never.

Speaker 2 ([41:25](#)):

No? Did you ever know that the crew would drink ashore during Avalon stays?

Matt ([41:34](#)):

I didn't even know they did an Avalon stay. But no, not that I'm aware of.

Speaker 2 ([41:39](#)):

Did you ever-

Matt ([41:39](#)):

I would not tolerate that. I would walk off the boat. Honestly, as a second captain, if my crew ... if we were in Avalon and the crew went ashore and I went ashore with them and they were starting to drink, I wouldn't get back on the boat.

Speaker 2 ([41:54](#)):

What if they were staying overnight though?

Matt ([41:57](#)):

No, you can't drink. You're on the clock.

Speaker 2 ([42:01](#)):

And whose rule is that?

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Matt ([42:03](#)):

That would be my rule. That's what I'm saying. If Truth Aquatics want to let their captains drink, I wouldn't be part of that. I would not take any part. I don't drink, okay? I would not have any participation in that. Because then it's me, it comes on me. Something happens, and now the captain and the second captain are there watching their crew drink and then something-

Speaker 2 ([42:30](#)):

And what if they were doing that? What would you think of that, if everyone from captains on down was having beers at Avalon?

Matt ([42:35](#)):

What would I think? Very unprofessional and should be terminated immediately.

Speaker 2 ([42:40](#)):

What should be terminated?

Matt ([42:41](#)):

The person.

Speaker 2 ([42:43](#)):

Oh, got you. All righty.

Matt ([42:44](#)):

They say eight hours throttle a bottle. That's a joke. I mean, you shouldn't drink at all if you're getting on a boat. You should be clear-minded. It's just the way I feel.

Speaker 2 ([43:00](#)):

Sure. I got you. If I say the 12-hour rule, what does that mean to you as far as watch standing?

Matt ([43:09](#)):

Oh, you can't work more than 12 hours.

Speaker 2 ([43:12](#)):

Got you. And does that mean the galley guy or does that mean the captain? What does that mean?

Matt ([43:20](#)):

That should pertain to everybody.

Speaker 2 ([43:24](#)):

So what if the captain-

Matt ([43:25](#)):

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I don't know what their COI says. I mean, because you can work 16 hours a day. As long as you have eight hours of uninterrupted rest, you're okay. So if their COI says four crew members, that means you could work the galley. People could work 16 hours a day, is what I understand.

Speaker 2 ([43:50](#)):

Did you ever know Jerry Boylan to have eight hours of uninterrupted rest?

Matt ([43:55](#)):

I couldn't tell you because ...

Speaker 2 ([43:59](#)):

That's fine.

Matt ([44:01](#)):

I would imagine on that, eight hours of uninterrupted rest, yes, he had it.

Speaker 2 ([44:09](#)):

I thought you said he would be up all the time at night.

Matt ([44:12](#)):

There's a difference between interrupted rest and you being up on your own. If you have to wake up and pee, that's not really interrupted rest. I believe from what the letter of the law is meaning, you'll not get woken up to-

Speaker 2 ([44:32](#)):

For a duty.

Matt ([44:32](#)):

... for a duty.

Speaker 2 ([44:33](#)):

Got you. Okay.

Matt ([44:34](#)):

But that, I don't know.

Speaker 2 ([44:35](#)):

That's fine.

Matt ([44:36](#)):

I don't know. I ran a whale watch boat for the last 16 years, 20 years. So all we did was attend to 230.

Speaker 2 ([44:45](#)):

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Yeah, go out and come back.

Matt ([44:46](#)):

Right. So I really haven't followed this overnight rule.

Speaker 2 ([44:52](#)):

That's okay. We don't need to go into it further. Did you ever see anyone either ingesting or taking drugs of any sort on board, the crew? Any sort of marijuana, ingesting it, smoking it?

Matt ([45:11](#)):

No.

Speaker 2 ([45:13](#)):

Did you ever suspect anyone of doing so from the crew?

Matt ([45:16](#)):

No, never.

Speaker 2 ([45:16](#)):

Did you ever see any what they call drug paraphernalia like pipes-

Matt ([45:21](#)):

Never.

Ryan ([45:23](#)):

Needles.

Speaker 2 ([45:23](#)):

... needles, rolling paper, no things like that?

Matt ([45:26](#)):

Never.

Speaker 2 ([45:27](#)):

Got you. Let's see. And you said you didn't suspect anyone of doing it either, right?

Matt ([45:35](#)):

No.

Speaker 2 ([45:35](#)):

Got you. Sure. Go ahead.

Ryan ([45:45](#)):



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So then regarding safety procedures, I know you said that if ... you weren't too sure, but when you got on board, if you, I guess had a sense that people knew what they were doing. Is that my understanding? Maybe I misinterpreted what you had mentioned before. What I'm trying to get at is, was there certain set rules in case of an emergency? This galley had this duty, this other galley had this duty. The deckhand had this duty. Were there designated roles during the case of an emergency that you were aware of?

Matt ([46:23](#)):

No, I wasn't aware of.

Ryan ([46:24](#)):

Okay. So as a second captain, you weren't responsible for a specific duty once-

Matt ([46:31](#)):

No.

Ryan ([46:31](#)):

... something occurred? Okay. And the same from your understanding, those 10 trips and then the one in May, for all those trips there weren't set positions or duties set for each particular crew member during the time of an emergency?

Matt ([46:44](#)):

No.

Speaker 2 ([46:48](#)):

Do you know about any type of a heat sensor on the vessel that would cause an alarm anywhere?

Matt ([46:56](#)):

Honestly, no. I don't know.

Speaker 2 ([46:58](#)):

Okay. Did you ever see Jerry perform training with anyone, showing anyone? Other than, you talked about, he walked you around the boat a little. Did you ever see him or any other Truth Aquatics' captain do hands-on training with anyone?

Matt ([47:14](#)):

No.

Speaker 2 ([47:15](#)):

Okay. Let's see. Is the COI up to the captain's discretion on anything?

Matt ([47:34](#)):

No.

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Speaker 2 ([47:35](#)):

How does that work then?

Matt ([47:38](#)):

From what I'm familiar with, the COI is the COI. If it says 143 passengers, you don't take 144.

Speaker 2 ([47:46](#)):

Got you.

Matt ([47:48](#)):

If it says you need 10% children's life jackets, you need 10% children's life jackets.

Speaker 2 ([47:59](#)):

Got you.

Matt ([47:59](#)):

You know, the COI is the COI. But like I said, I couldn't even tell you where there was on the boat. It's supposed to be mounted but I've never seen it.

Speaker 2 ([48:09](#)):

I see. I see.

Matt ([48:11](#)):

So maybe I did see it, but didn't read it. I don't know.

Speaker 2 ([48:20](#)):

I think I might have asked you this a little earlier, did you ever hear of any other fires on any of the Truth boats ever? Did you hear any stories about a trashcan fire, a battery fire, something little that somebody put out?

Matt ([48:33](#)):

Never.

Speaker 2 ([48:34](#)):

Got you. Thinking back on all your time with Truth, did you ever observe or suspect that a law was being broken?

Matt ([48:45](#)):

No.

Speaker 2 ([48:49](#)):

Got you. Maintenance, what all did you see get done maintenance-wise on those boats while you were around them?

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Matt ([48:59](#)):

Oh, I was around them a lot because they would dock next to us, but I don't know what they were doing-

Speaker 2 ([49:06](#)):

I see.

Matt ([49:07](#)):

... as far as maintenance.

Speaker 2 ([49:08](#)):

So on your time with Truth Aquatics, did you ... I guess, let's put it this way. Let's talk about electrical maintenance and electrical systems, wires, generators, things like that. On your time there, what is let's say the biggest job you recall being done?

Matt ([49:24](#)):

I saw them replace all the battery cables.

Speaker 2 ([49:28](#)):

On which boat?

Matt ([49:29](#)):

All three boats.

Speaker 2 ([49:30](#)):

In what year?

Matt ([49:31](#)):

I don't remember.

Speaker 2 ([49:32](#)):

'90s, 2000s?

Matt ([49:35](#)):

Probably 2000s.

Speaker 2 ([49:36](#)):

Early, late?

Matt ([49:38](#)):

I don't remember exactly. But I know back when those boats were built, you were able to use welding cable as battery cables. And there was a fire on a boat somewhere and they determined that the welding cables are no good anymore.

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Speaker 2 ([49:54](#)):

And this ran from which batteries to where?

Matt ([49:58](#)):

I couldn't tell you.

Speaker 2 ([49:59](#)):

This was like ship's batteries?

Matt ([50:01](#)):

Yeah. It was just big, heavy gauge wire I remember-

Speaker 2 ([50:06](#)):

And that was about-

Matt ([50:06](#)):

... [inaudible 00:50:07].

Speaker 2 ([50:06](#)):

... like a dime or bigger in size?

Matt ([50:06](#)):

Yeah.

Speaker 2 ([50:11](#)):

Got you. So they replaced that on all three boats sometime in the 2000s.

Matt ([50:16](#)):

As far as I remember it was ... I remember the Vision because they were right next to us. I don't remember the Truth and the Conception being honest, but I remember-

Speaker 2 ([50:25](#)):

That's fine.

Matt ([50:26](#)):

... them saying something that all three boats had to be done.

Speaker 2 ([50:29](#)):

And as you were right next to them on the pier, did you ever see a contracting group of people come on board to do that work? Or was it them-

Matt ([50:38](#)):

I don't know. I don't remember. I'll be honest, I don't remember.

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Speaker 2 ([50:42](#)):

That's fine. Do you recall where, if any, there were smoke detectors on the Conception?

Matt ([50:51](#)):

I don't recall.

Speaker 2 ([50:53](#)):

Do you remember anyone testing them or talking about them?

Matt ([50:57](#)):

No, I don't.

Speaker 2 ([50:57](#)):

Okay. Have you talked to, Matt, with anyone from Truth since the fire?

Matt ([51:06](#)):

No.

Speaker 2 ([51:07](#)):

Text, email, have they called you?

Matt ([51:09](#)):

No.

Speaker 2 ([51:10](#)):

Got you.

Matt ([51:10](#)):

The only one who text me was Inga about Davey Woodland.

Speaker 2 ([51:15](#)):

I see.

Matt ([51:16](#)):

But I haven't talked to anybody.

Speaker 2 ([51:19](#)):

Got you. If you were in our shoes, can you think of anyone that would be ... I guess just imagine we haven't spoken to anyone. Who would you say would be maybe a key person that would have great knowledge about [inaudible 00:51:35]?

Matt ([51:34](#)):

Obviously Jerry and Glen. That's about all I could think of, key people in the whole thing.

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Speaker 2 ([51:45](#)):

Got you.

Matt ([51:46](#)):

And the guy who inspected the boats, your local Coast Guard inspector. I don't know who's there now. I haven't dealt with them since 2013, but your local Coast Guard guys.

Speaker 2 ([52:01](#)):

Sure. Okay. Did you want to review anything or go back on anything?

Ryan ([52:05](#)):

I just had one quick question, just for reference. How did you hear about this Conception incident? Where did you hear it from?

Matt ([52:12](#)):

A buddy of mine sent me a picture at like seven in the morning. I thought it was ... I looked at my phone. I was in bed, I looked at my phone. I thought the pier was on fire and went back to bed. And then my phone rang a little bit later and another friend of mine called and said, "Did you hear the Conception burned up last night?" I'm like, "No."

Ryan ([52:39](#)):

And these are buddies that are not associated with Truth? These are just buddies who work on the pier?

Matt ([52:43](#)):

No, he's owns his own boat. He used to fill in with ... He did a few trips 20 years ago, 15 years ago, with Truth.

Ryan ([52:52](#)):

What's his name?

Matt ([52:53](#)):

Jim Klein.

Ryan ([52:54](#)):

Jim Klein?

Matt ([52:56](#)):

You guys interviewed him already.

Ryan ([52:57](#)):

Oh, did we?

Speaker 2 ([52:58](#)):

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How do you know that?

Matt ([53:00](#)):

Because we talked, me and him.

Speaker 2 ([53:04](#)):

Sorry, I thought I just asked a moment ago if you spoke to anyone from Truth.

Matt ([53:07](#)):

He doesn't work for Truth.

Speaker 2 ([53:09](#)):

Did he?

Matt ([53:11](#)):

No. What he was doing is, he was riding along getting sea time.

Speaker 2 ([53:16](#)):

And I guess, how recent was that?

Matt ([53:22](#)):

20 years ago, 15 years ago.

Speaker 2 ([53:27](#)):

Got you. Got you. Okay. Is there anything else, like any topics we didn't talk about that you thought we may have, or anything that you'd like to let us know before we wrap everything up?

Matt ([53:39](#)):

Not really, other than the escape hatch. I mean, it's-

Speaker 2 ([53:41](#)):

What about it?

Matt ([53:42](#)):

... small and not very noticeable.

Speaker 2 ([53:49](#)):

Is there anything in particular that maybe we haven't touched on as well in regards to Glen Fritler, that you either heard directly from while you worked with the company ... or if not directly through you, but you heard from someone else about the way he runs his company or anything that you can think of?

Matt ([54:10](#)):

Not really. I mean, he's cheap as far as paying.

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Speaker 2 ([54:15](#)):

[inaudible 00:54:16].

Matt ([54:15](#)):

He takes care of his boats. I mean, his boats are in tiptop shape. If you go on them, they're in really good shape.

Ryan ([54:25](#)):

So what's the incentive? I understand ... This is another last question. You said it's cheap, the pay that he's provides. So what would be the incentive for I guess individuals working for Glen, as opposed to maybe something else?

Matt ([54:43](#)):

A lot of the guys he gets are younger guys that enjoy diving. And they literally, on their time off, they could go out on the dive boat for free.

Ryan ([54:54](#)):

Is that maybe a reason why the I guess [retention 00:54:58] rate ... because the salary is pretty low.

Matt ([55:03](#)):

The pay is ...

Speaker 2 ([55:05](#)):

Got you.

Matt ([55:06](#)):

... is fairly ... And like I said, I don't know how long the guys were there with Jerry. They seem to be knowledgeable with the boat and get everything done.

Speaker 2 ([55:20](#)):

I appreciate all that. Yeah, if there's nothing else, I think we'll secure the recording and pretty much all done, sir. Anything else?

Matt ([55:26](#)):

That's it.

Speaker 2 ([55:28](#)):

All right. 12:18, 24 October 2019, securing it.



# EXHIBIT H



# Coast Guard Investigative Service



## Action Supplement Report

Supplement # AR1909001724-0128

Approval Status: APPROVED

### Action Supplement Details

Date/Time: 11/05/2019 12:00

Type: INVESTIGATIVE ACTION REPORT

Agent: WRAY, JAIME E

Approving Official: HOYLE, KELLY

### Narrative Information

Title: INTERVIEW: (PK) CHRIS RUSSELLO

Entered On: 12/05/2019 02:29

Reporting Agent: WRAY, JAIME E

Participating Agent:

#### Narrative

On 11/5/2019, S/A Brian De Jesus, FBI Lancaster, CA. and I interviewed (PK) Christopher A. Russello in regards to his employment and experience at Truth Aquatics Inc. Also present in the interview was his business partner Deborah Jean Disney. (PK) Russello was advised that the interview was voluntary and if there was a topic or question he did not want to discuss, that he did not have to do so. The interview was audio recorded with an Olympus Digital Voice Recorder; a DVD containing the digitally recorded interview was created (Serial Number: 00004591635) as evidence for transfer to FBI Ventura, CA. (EV1912002730). The below is an interview summary. It is not intended to be a verbatim account and does not memorialize all statements made during the interview. Communication by all parties in the interview was electronically recorded, and the recording captured the actual words spoken. At or about the following times during the interview:

01:12 (PK) Russello has a current 200 Ton captains license and has been licensed for approximately 15 years, ran "six-pack" boats, has owned a charter boat, and was 2nd captain on a few dive boats. As the owner of Aloha Dive in Reseda, CA he has chartered the Truth Aquatics vessels may times.

01:30 He approached Truth Aquatics and suggested they call him if they ever needed his services as a merchant mariner.

02:00 (PK) Russello has a long personal and professional relationship with (S) Glen Fritzler.

02:06 As a captain, (PK) Russello only completed one trip in the capacity of captain for Truth Aquatics. He was the 2nd captain on the TRUTH on a trip from August 25-30th, 2019 under Craig Heihn who was the main captain of the TRUTH for the voyage.

08:04 The night before his August trip, (PK) Russello arrived at the boat and waited for passengers to arrive. He did this not because he was asked or because it was policy but because it was "common practice" based on his own experience outside of Truth Aquatics.

09:37 A manifest and a dive/safety release form is required to be filled out by passengers before departure.

11:10 The charter master usually fills out the bunk assignment form prior to the trip.

12:24 (PK) Russello cannot recall when the safety orientation is given, only that it is definitely given.

13:20 He was paid \$165.00 USD a day by check, he does not recall who signed the check.

14:40 As the vessel was departing for the August trip, (PK) Russello asked captain Craig Heihn, when he had watch. Heihn told (PK) Russello that he "did not have a watch." Heihn told him, "I set a hook for the anchor, I don't have a watch." He found this "a little unusual," because most dive boats he had worked with "had it."

17:00 (PK) Russello mentioned it was common practice on other vessels to have a set watch schedule for when crew would come on and off watch.

18:04 He has made multi-day trips on all Truth Aquatics vessels since they have been built and estimates he has averaged about 10 multi-day trips per year across all Truth Aquatics vessels.

Supplement # AR1909001724-0128

Approval Status: APPROVED

20:00 He noted that he had seen crew members on watch at night during his trips on Truth Aquatics vessels over the years. However he has never heard anyone make any comments referring to having or standing an assigned watch.

22:54 Regarding the August trip where he was 2nd captain, he was asked if anyone, assigned roving watch to anyone else, he stated, "no." And he did not observe anyone awake at night.

23:37 He did not observe a watch schedule posted during the August trip.

23:51 When (PK) Russello came aboard as the 2nd captain for the August trip, no one presented him or showed him the Certificate of Inspection (COI) of the vessel. He also did not review it on his own.

24:50 The first time (PK) Russello heard of the term "roving watch" was during his captains courses.

27:10 When presented with hypothetically finding a crew member asleep on watch, (PK) Russello stated that, "after a good ass chewing," he would assure the person stood the watch. When asked why he would be mad at finding a watchmen asleep he exclaimed, "Any good mariner knows, the responsibility is Boat, Passenger, Crew, PERIOD." And, "A roving watch is for the safety of the boat and for the safety of the passengers."

28:45 Continuing with the hypothetical sleeping crew member, he stated he would show and explain to the watchman he has to go to all interior and exterior spaces on the vessel to ensure its integrity and safety to include the anchor and engine spaces.

29:50 He did not witness anyone other than the licensed mates driving the vessels.

29:56 Deckhands would make dives during trips. He mentioned only one diver would dive at a time.

31:05 (PK) Russello never noticed Truth Aquatics vessels discharging sewage near shore.

33:54 (PK) Russello has made trips on CONCEPTION since the vessel was built.

35:00 (S) Jerry Boylan was a "top notch" captain.

36:40 He has never heard about a fire of any size ever on Truth Aquatics vessels.

37:50 Q: Would there be any part of the company that Glen wouldn't know about?

(PK) Russello: "No. Absolutely not. He was a hands on owner, he was a hands on captain."

38:15 Q: If I asked Glen about the training programs for his boats would he know about them?

(PK) Russello: "Oh God yeah. I would say so, in my opinion, yes absolutely."

38:50 Deborah Jean Disney interjected and recalled a time she stayed on a Truth Aquatics boat. She recollected a certain trip and explained that the night before they got underway she was talking with someone on the vessel. She exclaimed she later, "found out it was Glen" to her surprise. He was on the boat and was basically showing her a couple of things, and he was "definitely a hands on owner."

39:50 (PK) Russello has made a few trips when (S) Fritzler was the captain.

43:02 The trips he made with (S) Fritzler as captain were not multi-day trips.

45:48 Break was taken, recording secured.

Recording re-commenced on a separate file of recorder.

03:48 Man overboard procedures were explained during the safety brief.

07:53 (PK) Russello commented that he felt the Truth Aquatics crews were very well trained based on his "observations."

09:00 He received a policies and procedures manual from Truth Aquatics prior to his trip in August.

13:23 Q: Yes or no. As we sit here today, do you know every step of how to turn on, energize, and use a fire hose on the TRUTH?



Supplement # AR1909001724-0128

Approval Status: APPROVED

(PK) Russello: "No."

13:39 He described that Craig Heihn did both a talk-through and a walk-through of firefighting procedures with him "briefly" prior to departure.

Q: When did that happen, when did you go over those things?

(PK) Russello: "Before we left."

Q: So at night?

(PK) Russello: (pause) "We probably did it Monday morning, I'm trying to think if it was Sunday night or Monday morning. Might have been Monday morning."

16:10 (PK) Russello never saw actual drills being ran by Truth Aquatics crew members on any of his trips as a passenger.

16:50 He mentioned that he talked to crew members about drills and training they had just conducted or conducted previously. He would ask how it went and they would respond. (PK) Russello was asked which crew members could be spoken to regarding the conversations, to which he replied, "I don't know." Again, he was asked if he could think of one person we could speak to about the training conversations he spoke of and he claimed he could not.

19:23 Regarding whether or not Truth Aquatics had captains meetings, (PK) Russello stated he is, "sure they had them," however he had not been to one.

20:40 It was possible with five crew members on the TRUTH to conduct watches through the night at anchor.

22:00 Truth Aquatics did not have a high turnover rate for crew.

23:35 (PK) Russello has not talked or texted with (S) Fritzler after the Labor Day fire. He has sent emails offering his condolences.

25:25 He stated no one from Truth Aquatics has influenced him on whether to talk to investigators or not.

28:10 For the August trip he made, it was the standard procedure for the captain to have the crew secure for the night and go to sleep.

29:20 He does not recall any specific policy on when and where persons could smoke on the vessel.

31:00 Regarding the hypothetical crew member who was caught sleeping while on watch (mentioned at minute 27:10), (PK) Russello was asked if it is safe to say, that the crew member was negligent in what he was supposed to be doing. Specifically in that as a captain, he expected the crew member to be up and around. (PK) Russello responded, "Yeah I do expect you to be up and around."

35:23 Truth Aquatics vessels leave the dock without the passengers receiving a safety brief. There is a period of time that the vessel has departed with passengers and they have not received a safety brief. There are however, safety brief placards left about the vessel for passengers to review.

40:00 Regarding the crews, (PK) Russello mentioned, "they were well trained."

Q: In what?

(PK) Russello: "Everything. Boat operations, safety concerns, drills, emergencies, man overboard, they were well trained."

Q: You said earlier you never saw them run a drill?

(PK) Russello: "No, but you, I have not, I saw 'em run, well for instance, I've seen situations where you have a panicked diver down current, safety diver will jump in and get them back to the boat safely."

40:50 Q: Would you say if you are not trained properly in firefighting you could not combat a fire effectively?

(PK) Russello: "I wouldn't say that."

41:00 He commented as an example, that if he had a fire in the kitchen of his house, he could grab a fire extinguisher and put it out.

(PK) Russello: "Am I a firefighter? No, but I combated that fire. If my house is on fire, could I do that? Not as well as a trained fireman."

Q: So who is the firemen on those boats?

(PK) Russello: "That's a good question, that's a good question."

Q: Is it the crew's responsibility to extinguish a fire on that boat?

(PK) Russello: "You know, the funny part about it is, that's the first time you've had a fire on a boat, on this type of boat. So that's the two dollar question, how do you fight this type of fire. You can prepare for anything, but when reality hits, how do you

Supplement # AR1909001724-0128

Approval Status: APPROVED

do it?"

42:20 (PK) Russello mentioned that fiberglass burns, "very hot and very fast."

42:42 Q: Is it easier to fight a fire at the beginning of it?

(PK) Russello: "It depends. ...I would say no."

43:37 (PK) Russello insisted that nobody is prepared for a fire, "except firemen of course."

Q: Why are firemen prepared for it?

(PK) Russello: "Well, cause they go into burning buildings. You know they fight fires, they simulate and train to go into burning buildings."

45:17 (PK) Russello stated as a captain you are supposed to follow the COI.

46:11 He commented that in his opinion he, "can't see where these guys did anything wrong" and that it was "out of their control."

46:38 (PK) Russello believes that the fire started as an electrical issue and he believed it started in the galley based off the pictures online.

Special Agent's Note: The interview was also audio recorded by Deborah Jean Disney on her personal iPhone 818.618.2972. She was advised that the investigator's recording of the interview is treated as evidence in an ongoing investigation and is not normally shared. Deborah Jean Disney and (PK) Russello both stated "nor would we," and that the recording was for her and (PK) Russello only. Furthermore, both individuals were explained the importance of the integrity of the investigation regarding the confidentiality of our discussion. Both affirmed that what was said here, goes no further.

56:30 (PK) Russello never noticed anyone other than passengers drinking alcohol on board the vessels.

57:15 He also never saw or suspected any crew of smoking or ingesting marijuana or any illegal substances.

58:00 Interview completed.

## Associated Names

## Action/Name Information

Involvement: PERSON WITH KNOWLEDGE

Juvenile At Time: ☐

Linked Name: RUSSELLO, CHRISTOPHER A, INDIVIDUAL

## Action/Name Information

Involvement: PERSON WITH KNOWLEDGE

Juvenile At Time: ☐

Linked Name: DISNEY, DEBORAH JEAN, INDIVIDUAL

# **EXHIBIT I1**

**[Audio]**

**Manually filed with the Court**

# **EXHIBIT I2**

**[Audio]**

**Manually filed with the Court**

# **EXHIBIT J1**



This transcript was exported on Aug 08, 2023 - view latest version [here](#).

Ray ([00:01](#)):

All right. So here we are today with Mr. Chris Russello at his dive shop in Reseda, California. Time is 11:56. Also today with us we have business partner Deborah Jean ... Is that-

Chris Russello ([00:18](#)):

Disney.

Ray ([00:19](#)):

... Disney? Okay. And appreciate you guys letting us be here today.

Chris Russello ([00:23](#)):

Sure.

Ray ([00:26](#)):

Some of the things also, sir, about the questions we'll ask, if there's a topic you don't want to talk about, 100%, let us know. If you don't want to answer a question, let us know. You know.

Chris Russello ([00:34](#)):

Okay.

Ray ([00:34](#)):

All voluntary, here.

Chris Russello ([00:36](#)):

That's fine.

Ray ([00:38](#)):

If you don't mind, can you just tell us the nature of your experience as a merchant mariner and how that translated one-day into working for Truth Aquatics?

Chris Russello ([00:50](#)):

I received my merchant mariner's license approximately 15 years ago, maybe more.

Ray ([00:59](#)):

Okay.

Chris Russello ([00:59](#)):

I'm trying to think, it been a long time. Okay?

Ray ([01:04](#)):

Mm-hmm.

Chris Russello ([01:05](#)):

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And I ran previous boats, six track boats. I had my own dive charter boat. I also was second captain on a few dive boats. And that's really how. And so as a shop owner, actually, we chartered the Truth Aquatics for many years, all the boats. So I got to know the people up there. When I got my merchant, I asked them, I said, "If you need help, please call me. I'd be happy to help out as a second captain." So that's really how it performed. I started off on my own. It went from there.

Ray ([01:39](#)):

Yeah.

Chris Russello ([01:40](#)):

And I knew Glen and everybody for many years because, actually, I remember when the boats were built. You know, I actually-

Ray ([01:48](#)):

Yeah.

Chris Russello ([01:48](#)):

... dove the boats when they first were built and been around a long time. I developed a good personal and professional relationship with them.

Ray ([01:57](#)):

Gotcha.

Chris Russello ([01:58](#)):

Yeah.

Ray ([01:58](#)):

And what year you start officially with Truth?

Chris Russello ([02:02](#)):

Well, I started as a captain this year. I actually just did one trip with them.

Ray ([02:06](#)):

Oh, just this year?

Chris Russello ([02:07](#)):

Just this year, yeah.

Ray ([02:08](#)):

You were a client for a long time?

Chris Russello ([02:09](#)):

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Yeah, I was. I was a customer for a long time, chartering the boats, like I say, getting to know the captains and the deck hands. And- [inaudible 00:02:17]

Ray ([02:18](#)):

Gotcha. And I'm sorry if I missed it. What year did you get your merchant mariner credential?

Chris Russello ([02:21](#)):

I'm trying to think. It's been a long time. It's been a-

Ray ([02:24](#)):

Is it current?

Chris Russello ([02:25](#)):

Oh, yeah. It's current.

Ray ([02:27](#)):

Okay.

Chris Russello ([02:27](#)):

I have a current 200 ton merchant marine license. It's current.

Ray ([02:28](#)):

Gotcha.

Chris Russello ([02:29](#)):

And I believe, without going back, it's been at least 15 years.

Ray ([02:33](#)):

Okay. Gotcha. Appreciate that.

Chris Russello ([02:33](#)):

At least 15 years. Exact dates without looking at it going back, you know?

Ray ([02:40](#)):

No, that's fine. How did that transition happen from a customer to being a captain?

Chris Russello ([02:47](#)):

Again, I said to him, "Hey, if you need extra help, let me know."

Ray ([02:52](#)):

Yeah.

Chris Russello ([02:53](#)):

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I have my ticket. And you're- " [inaudible 00:02:56]

Ray ([02:55](#)):

Who's him? I'm sorry.

Chris Russello ([02:55](#)):

I said, "If you need extra help on multi-day trips," because a lot of times-

Ray ([02:58](#)):

No, sorry, you said, "I told him." Who's him?

Chris Russello ([03:00](#)):

I told Glen, the owners of the office. No, I didn't talk to Glen. To the office, I said, "Hey, if you guys need extra help, let me know."

Ray ([03:09](#)):

Yeah.

Chris Russello ([03:10](#)):

"I'd be happy to help you out on multi-day trips and that type of thing." You know?

Ray ([03:13](#)):

Gotcha.

Chris Russello ([03:14](#)):

Two day trips, three day trips, wherever it might be. And then the general manager, Inga, emailed me, says, "Are you available for this trip?" I said, "Yes, I am."

Ray ([03:23](#)):

Gotcha.

Chris Russello ([03:25](#)):

So I went in there. Yeah, I knew one of the captains who recently just passed away, Davey, because I did a lot of charge with Dave. And I always said, "If you need a second, let me know." He said, "Well, put your paperwork in, we'll let you know." I said, "Okay."

Ray ([03:39](#)):

Very cool.

Chris Russello ([03:39](#)):

Unfortunately, you know, we lost him last week.

Ray ([03:41](#)):

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Sure. Yeah, I heard about that. Sorry to hear.

Chris Russello ([03:45](#)):

Hell of a captain, hell of a guy.

Ray ([03:46](#)):

Oh, yeah?

Chris Russello ([03:46](#)):

We're friends with him for a very long time. So sad to see him, you know.

Ray ([03:50](#)):

Gotcha.

Chris Russello ([03:55](#)):

That's the clock.

Ray ([03:56](#)):

Oh, gotcha. Who technically hired you?

Chris Russello ([04:02](#)):

Truth Aquatics. It was the general manager, Inga-

Ray ([04:04](#)):

Inga? Okay.

Chris Russello ([04:05](#)):

... hired me. I went and met with her, signed all the paperwork, gave her a copy of my license, that type of thing.

Ray ([04:09](#)):

Yeah.

Chris Russello ([04:10](#)):

And she put me to work on a five-day trip.

Ray ([04:13](#)):

Okay. Sorry. And that's been your only trip, was the-

Chris Russello ([04:15](#)):

With-

Ray ([04:15](#)):

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... one?

Chris Russello ([04:16](#)):

As a captain with the Truth, yes.

Ray ([04:18](#)):

And what was the date of that trip?

Chris Russello ([04:20](#)):

It was just before Labor Day, August, the week.

Deborah Jean Disney ([04:26](#)):

Look at the dates.

Chris Russello ([04:27](#)):

Look at the day. I think it's August 25th through August 30th, I believe.

Ray ([04:29](#)):

Okay.

Chris Russello ([04:31](#)):

It was the last week of August. So it was that Monday through Friday.

Ray ([04:34](#)):

Gotcha. Okay.

Chris Russello ([04:36](#)):

It was on the Truth boat.

Ray ([04:38](#)):

I hear you. On the vessel, Truth.

Chris Russello ([04:40](#)):

On the vessel, Truth.

Deborah Jean Disney ([04:41](#)):

It was the 25th through the 30th.

Chris Russello ([04:43](#)):

Yeah, 25th through the 30th. Right.

Ray ([04:44](#)):

Gotcha. Appreciate that. And during, who was your understanding of who you reported to, basically?

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Chris Russello (04:52):

The captain I reported to, his name was Craig. I'm trying to think of his last name. Start with an H. I can't remember his last name, but Craig was the captain.

Ray (05:05):

That's all right. You were the second captain?

Chris Russello (05:07):

I was the second captain. Right.

Ray (05:09):

Gotcha. And how much actual captaining did you do?

Chris Russello (05:13):

Well, except for ... You mean by running the boat?

Ray (05:16):

Yeah, like piloting, maneuvering.

Chris Russello (05:18):

I only piloted one night. It actually was the first night I piloted.

Ray (05:22):

Okay.

Chris Russello (05:22):

Most of the time I was watching, being in charge of the passengers and stuff, keeping an on the passengers, and make sure that was all ...

Ray (05:32):

Okay, gotcha. And what was that night? Tell me about what time, more or less people came on board, when you left, how that all happened.

Chris Russello (05:42):

Okay, I'll go by memory.

Ray (05:43):

Sure.

Chris Russello (05:44):

People came on board, because I reported at-

Deborah Jean Disney (05:46):

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[inaudible 00:05:50]-

Chris Russello ([05:49](#)):

... 6:00 that night, I think it was.

Deborah Jean Disney ([05:51](#)):

We-

Chris Russello ([05:51](#)):

7:00?

Ray ([05:51](#)):

Did you make the trip, too-

Deborah Jean Disney ([05:54](#)):

We-

Ray ([05:54](#)):

... Miss?

Deborah Jean Disney ([05:54](#)):

... closed. Pardon me?

Chris Russello ([05:56](#)):

She drove me up there.

Ray ([05:56](#)):

Okay.

Deborah Jean Disney ([05:57](#)):

I drove him up there. We closed the shop-

Chris Russello ([06:01](#)):

I think we reported at 9:00.

Deborah Jean Disney ([06:02](#)):

... went to dinner and then I took him up there. Yeah.

Chris Russello ([06:04](#)):

It was probably about-

Deborah Jean Disney ([06:05](#)):

So it was about-



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Chris Russello ([06:05](#)):

... 8:00 or 9:00.

Deborah Jean Disney ([06:06](#)):

... 8:00 or 9:00 o'clock.

Chris Russello ([06:06](#)):

And they started to show up about ... This was Sunday. We left Monday morning? We left Monday morning. So this was Sunday. No, wait a minute.

Ray ([06:18](#)):

You got there Sunday night, left the next morning, is that-

Deborah Jean Disney ([06:19](#)):

It's- [inaudible 00:06:20]

Ray ([06:20](#)):

... right?

Chris Russello ([06:20](#)):

I'm trying to think what day it was, because actually-

Deborah Jean Disney ([06:21](#)):

... it's- [inaudible 00:06:22]

Chris Russello ([06:22](#)):

... trip started on Monday.

Speaker 4 ([06:23](#)):

August 25th is Sunday.

Deborah Jean Disney ([06:25](#)):

It was Sunday.

Chris Russello ([06:26](#)):

So we left Monday. So, yeah, I probably got up there, because Sunday we weren't crewed.

Deborah Jean Disney ([06:31](#)):

We weren't open Sunday.

Chris Russello ([06:33](#)):

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Open here. So it was like I went up there Sunday night. Yes, now I remember. I went up there Sunday night and got there around probably 7:00, 8:00 o'clock. And I was the first one on the boat and they showed up.

Ray ([06:44](#)):

Gotcha.

Chris Russello ([06:45](#)):

It was a scientific school out of up north.

Ray ([06:52](#)):

Okay, I see.

Chris Russello ([06:52](#)):

And-

Ray ([06:55](#)):

And about what time did you leave? What time did you depart the dock?

Chris Russello ([07:00](#)):

It was Monday, it was-

Ray ([07:02](#)):

Before sunrise?

Chris Russello ([07:04](#)):

Yeah. Because I drove at night.

Ray ([07:08](#)):

Okay.

Chris Russello ([07:08](#)):

I think it was like 2:00 o'clock, 2:00, 3:00 o'clock in the morning.

Ray ([07:11](#)):

And were you the first one on the boat? Was there crew there that night when you got onto the-

Chris Russello ([07:15](#)):

I was the first one there, but the crew actually just came back from a two day, so they were actually going to dinner. They cleaned the boat, they went to dinner. I was the first one on the boat when nobody was there yet.

Ray ([07:25](#)):

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Yeah.

Chris Russello ([07:25](#)):

Okay. And I was there waiting for the passengers. And then the crew came back and the passengers were on board.

Ray ([07:31](#)):

Gotcha. So waiting for the passengers, what does that consist of? You're up, literally sitting on the dock, waiting?

Chris Russello ([07:37](#)):

Yeah, I'm sitting in the boat waiting for the passengers. And I believe the galley people got there. I was there. And then the galley people, Chad and Christie. Was Christie?

Deborah Jean Disney ([07:53](#)):

Katie.

Chris Russello ([07:54](#)):

Katie. That was a Katie who was in the galley, were there, because Katie came up, actually.

Ray ([07:58](#)):

These are crew members?

Chris Russello ([07:59](#)):

Yeah, these are crew members.

Ray ([08:01](#)):

Do you recall their last names?

Chris Russello ([08:03](#)):

No.

Ray ([08:04](#)):

Chad and Katie?

Chris Russello ([08:05](#)):

Chad and Katie. And they were crew members. And-

Ray ([08:09](#)):

This is the Truth, right? The vessel Truth.

Chris Russello ([08:11](#)):

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The Truth, right. They came up and they were getting ready before anybody. I was there before the passengers showed up. We were unloading the food, we were getting the boat ready to go. So this was Sunday night.

Ray ([08:21](#)):

Okay, gotcha. And why were you waiting for the passengers? Did someone tell you to? Did you just think it was a good idea?

Chris Russello ([08:29](#)):

I just got there early. I figured I'd get there early.

Ray ([08:31](#)):

Did anyone tell you to wait for passengers? Is that-

Chris Russello ([08:32](#)):

Well, that's been a common practice. You get there early and wait for the passengers to show up. That's common practice.

Ray ([08:38](#)):

But this was your first trip working for them.

Chris Russello ([08:41](#)):

Right.

Ray ([08:42](#)):

Help me understand how that's common.

Chris Russello ([08:43](#)):

Well, because most of the time when you're a second captain, you're a crew member, you always show up early. Like I said, it was a common practice. Most crew members and captains show up early to get the boat prepared.

Ray ([08:55](#)):

Was it common to your experience-

Chris Russello ([08:56](#)):

My experience.

Ray ([08:56](#)):

... personally?

Chris Russello ([08:56](#)):

Yeah. Because-

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Ray ([08:56](#)):

Or the Truth?

Chris Russello ([08:57](#)):

No, my experience.

Ray ([08:58](#)):

Okay.

Chris Russello ([08:58](#)):

Because, and again, I ran my own boat.

Ray ([09:03](#)):

Yeah.

Chris Russello ([09:04](#)):

I always told my crew, "Be there early, get the boat ready for the passengers."

Ray ([09:09](#)):

Sure. And when you got there as the passengers arrived, what happened?

Chris Russello ([09:14](#)):

Well, we had myself, in fact, the captain was there, too. Everybody was there before the passengers arrived. And we basically loaded up the boat. He brought the gear aboard, they had kayaks. We loaded the kayaks up. So we were getting everything ready to go.

Ray ([09:30](#)):

Was anything filled out? Any roster, any type of a-

Chris Russello ([09:35](#)):

Oh, yeah. Manifest.

Ray ([09:35](#)):

... checklist?

Chris Russello ([09:35](#)):

Absolutely.

Ray ([09:35](#)):

What-

Chris Russello ([09:40](#)):

As soon as you come on board, you fill out a manifest and a release form.

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Ray ([09:42](#)):

And who's you? You said, "You fill out a- "

Chris Russello ([09:43](#)):

The passengers. The passengers are required to fill out a manifest and a release form.

Ray ([09:48](#)):

Gotcha.

Chris Russello ([09:48](#)):

Yeah.

Ray ([09:48](#)):

Okay. And who coordinates that? How is that-

Chris Russello ([09:52](#)):

Well, how it works is on the table you have a manifest and you have a release form. And as you come up, everybody signs it before you depart. You make sure you take a head count or roll call, make sure that the manifest matches your passenger list.

Ray ([10:10](#)):

Gotcha. Appreciate that.

Chris Russello ([10:10](#)):

And make sure that everybody coordinated. In other words, you have whoever's going in the water, make sure they have release forms, and make sure if they're under 18, to make sure that they have parents or guardians sign the release forms. So this is all done prior to departure.

Ray ([10:28](#)):

Gotcha. So how many forms total are-

Chris Russello ([10:31](#)):

Two forms. It's just a manifest. Sorry. You fill out the manifest and you sign the release form. Again, the release form is for, since this was a trip where they were to do snorkeling, they had to do a release form.

Ray ([10:43](#)):

Gotcha.

Chris Russello ([10:44](#)):

Yeah.

Ray ([10:44](#)):

And is the manifest the bunk assignments or are that two different things?

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Chris Russello ([10:47](#)):

It's two different things. The bunk assignment's usually predetermined and it's hanging up. You know, all bunk assignments are hanging up. So-

Ray ([10:54](#)):

Okay, gotcha.

Chris Russello ([10:54](#)):

You know, that's prearranged between the charter master-

Ray ([10:57](#)):

Yeah.

Chris Russello ([10:57](#)):

... and the front office.

Ray ([11:00](#)):

Gotcha.

Chris Russello ([11:00](#)):

And they usually, the charter master fills out the bunk forms, and then they send it to their office, and their office gives it to us. That's how it was already hanging up as far as that's concerned. Yeah.

Ray ([11:10](#)):

Okay. Yeah. Gotcha. What about safety orientations? When are those given?

Chris Russello ([11:16](#)):

We usually do a briefing before we leave, and do a briefing about everything. I can't remember what was done on that. You know, that's-

Ray ([11:26](#)):

Hm.

Chris Russello ([11:27](#)):

That's common practice with what is done. Okay.

Ray ([11:30](#)):

Sorry. So when you say common practice, again, is that based off your experience apart from Truth Aquatics or your experience with Truth Aquatics?

Chris Russello ([11:38](#)):

I've done both.

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Ray ([11:41](#)):

Okay. Was-

Chris Russello ([11:41](#)):

When I've charged boats with Truth Aquatics, they do that. Also, Truth has on the tables, on their chart, they actually also have a safety brief and laid out so people can read their safety brief.

Ray ([11:51](#)):

Sure. I understand, we've been told a bunch of times now that the safety briefing is given basically the next day before the dive. Is that what happened with you guys?

Chris Russello ([12:03](#)):

I can't remember, to be honest. I don't remember.

Ray ([12:04](#)):

So that'd be-

Chris Russello ([12:07](#)):

Because that's not something I do. That was something the captain does. I know he did give a safety briefing, which he normally does. I just can't remember if it was before or after. No.

Ray ([12:17](#)):

So you can't remember if it was before you left-

Chris Russello ([12:19](#)):

Or- [inaudible 00:12:20]

Ray ([12:19](#)):

... super early that morning?

Chris Russello ([12:20](#)):

Or the next day, yeah. I don't. Like I said, I know it's given. Okay?

Ray ([12:24](#)):

Sure.

Chris Russello ([12:25](#)):

And again, I know that if you look on there, if you go in the galley, it's right on the tables, "Here's how, everything about life jackets, here's all about the safety features."

Speaker 4 ([12:33](#)):

Yeah.



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Ray ([12:34](#)):

Is there anything, do you recall, Chris, on that release form or those two forms, the manifest, when they first get on board, does any of those papers say, "Hey, go read this thing on the table over here about safety?"

Chris Russello ([12:46](#)):

No.

Ray ([12:47](#)):

It doesn't say that?

Chris Russello ([12:49](#)):

No, but there ... No.

Ray ([12:50](#)):

So there was one laminated placard like this?

Chris Russello ([12:53](#)):

More than one. They're all over the galley. They're all over the tables. There's not just one.

Ray ([12:55](#)):

And people could look at them at their leisure?

Chris Russello ([12:55](#)):

Absolutely. You sit down and go.

Ray ([12:55](#)):

Gotcha.

Chris Russello ([12:59](#)):

There's probably, what would you say, we've seen a dozen.

Deborah Jean Disney ([13:01](#)):

A dozen.

Chris Russello ([13:01](#)):

Easily.

Deborah Jean Disney ([13:01](#)):

They're right there. they're right there next to where you sign on the manifest.

Chris Russello ([13:01](#)):

Yeah.

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Ray ([13:11](#)):

And as a second, what were you paid?

Chris Russello ([13:13](#)):

\$165 a day.

Ray ([13:15](#)):

And was that cash, check-

Chris Russello ([13:16](#)):

Check.

Ray ([13:16](#)):

... direct deposit.

Chris Russello ([13:17](#)):

Check.

Ray ([13:18](#)):

Check. And who signed the check?

Chris Russello ([13:21](#)):

The office did.

Deborah Jean Disney ([13:21](#)):

I don't know who.

Ray ([13:22](#)):

Do you recall the name of who signed the-

Chris Russello ([13:24](#)):

I think either Glen or the general manager did. I didn't look at it.

Ray ([13:27](#)):

Gotcha.

Chris Russello ([13:27](#)):

Yeah.

Ray ([13:28](#)):

And who did you understand to be in charge of the company or who did everyone report to?

Chris Russello ([13:34](#)):

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I usually reported to general manager, to Inga.

Ray ([13:36](#)):

Inga?

Chris Russello ([13:37](#)):

Yeah.

Ray ([13:38](#)):

Okay, gotcha. Are you familiar with Fritzler Family Trust?

Chris Russello ([13:44](#)):

No.

Ray ([13:44](#)):

Do you know what that is?

Chris Russello ([13:44](#)):

Not at all.

Ray ([13:50](#)):

Okay, gotcha. On your trip on the Truth, did anything stick out in your mind now that you made a trip, but as a mate as opposed to as a customer, do you recall anything that caught your eye differently or that you maybe were exposed to for the first time, now that you're on the other side, so to speak? Maybe something you thought you're not sure why they did that practice, or based off your own experience, like you've been saying you have a lot of previous merchant mariner experience.

Chris Russello ([14:29](#)):

Well, the only thing that I noticed something different is that we get in the way. I asked the captain, I said, "When's my watch?" He said, "I do not have a watch." That's what the captain told me. I went, "Okay. I set a hook for the anchor. I don't have a watch."

Speaker 4 ([14:51](#)):

Who was the captain?

Chris Russello ([14:52](#)):

Craig? I can't think of his last ... It started with an H. I can't think of his last name.

Deborah Jean Disney ([14:54](#)):

Yeah.

Ray ([14:57](#)):

So you asked the captain about the watch when?

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Chris Russello ([15:02](#)):

The first day.

Ray ([15:03](#)):

The morning of, or as you were getting underway early- [inaudible 00:15:05]

Chris Russello ([15:05](#)):

As we're getting underway.

Ray ([15:07](#)):

So it's still dark.

Chris Russello ([15:08](#)):

Yeah.

Ray ([15:09](#)):

You're getting underway. You asked about your watch.

Chris Russello ([15:11](#)):

Right.

Ray ([15:11](#)):

And he says-

Chris Russello ([15:12](#)):

"I don't have a watch."

Ray ([15:13](#)):

As in, "Chris doesn't have a watch."

Chris Russello ([15:15](#)):

"Craig doesn't have a watch." The captain.

Ray ([15:21](#)):

Sorry, I thought you were telling me he told you you're not-

Chris Russello ([15:24](#)):

He told me. I asked him, "What time my watch?"

Ray ([15:26](#)):

Yes.

Chris Russello ([15:26](#)):

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He's, "I don't have a watch."

Ray ([15:28](#)):

So Chris was not going to stand a watch.

Chris Russello ([15:30](#)):

Right.

Ray ([15:30](#)):

Gotcha.

Chris Russello ([15:30](#)):

I said, "Okay." He's, "I set a hook for the anchor. I said, "Okay."

Ray ([15:36](#)):

"I set a hook for the anchor?"

Chris Russello ([15:37](#)):

Well-

Ray ([15:38](#)):

That's what said?

Chris Russello ([15:39](#)):

They have alarms in case you slip anchor. Okay?

Ray ([15:42](#)):

Sure.

Chris Russello ([15:43](#)):

I said, "Okay." And I thought that was a little unusual, because most dive boats I worked with had it. I know when I've chartered the Truth boats before I've arrived on the boat, they've had crew around the boat. You know what I'm saying? So I thought that was a little unique.

Ray ([16:02](#)):

So not having a watch at anchor struck you as unusual, you're saying?

Chris Russello ([16:09](#)):

In my opinion, yes.

Ray ([16:10](#)):

Okay. Did I hear you say, Chris, that on your previous experience being underway at night on boats, you have seen-

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Chris Russello ([16:17](#)):

Yeah, I've seen it. I've seen it where, like I said, we've been on other Truth boats, and we've arrived, and crew's been there, and they've had it.

Ray ([16:27](#)):

Have what?

Chris Russello ([16:29](#)):

We've been at where we got to boats, they've had crew members on board. We get underway, they have crew members on board. So I thought this was a little strange. Because I've ran dive boats before, I thought this was very common, again, common practice. And when I asked him for my watch, he says, "I don't require it." Meaning him, himself. I said, "Okay."

Ray ([16:50](#)):

Yeah.

Chris Russello ([16:51](#)):

So-

Ray ([16:51](#)):

I'm not tracking with you, I apologize. When you say you've ran other boats, and you've seen other crews, and it was common practice, what was common practice?

Chris Russello ([16:58](#)):

To have watches. I've been on dive boats and they say, "Between this date and this date, you ought to have a watch, and you wake up this person at that date, and they're going to have the watch."

Ray ([17:06](#)):

Yeah.

Chris Russello ([17:06](#)):

So we had a schedule.

Ray ([17:06](#)):

Sure.

Chris Russello ([17:09](#)):

Okay. And I ran my own boats the same way.

Ray ([17:10](#)):

Sure.

Chris Russello ([17:10](#)):

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Again-

Ray ([17:12](#)):

Did you ever see a schedule on a Truth boat? So you've done multiple trips?

Chris Russello ([17:15](#)):

Well, again, I was a passenger.

Speaker 4 ([17:17](#)):

This-

Ray ([17:17](#)):

Correct.

Chris Russello ([17:17](#)):

Okay?

Ray ([17:17](#)):

But-

Chris Russello ([17:18](#)):

But that's something the captain doesn't share with passengers.

Ray ([17:20](#)):

Gotcha.

Chris Russello ([17:21](#)):

And this is up to the captain to share with the crew.

Ray ([17:23](#)):

So how many trips? Let's do this then, Chris. Over time, is there any way for you to guess how many trips a year you've made with Truth as a passenger?

Chris Russello ([17:32](#)):

Over the years?

Ray ([17:32](#)):

Yeah.

Chris Russello ([17:41](#)):

Oh my God. Well, for 2020, I know we just signed, I know we've had 20 trips scheduled.

Ray ([17:46](#)):

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Gotcha.

Chris Russello ([17:47](#)):

'19, we did a lot. Over the years-

Deborah Jean Disney ([17:52](#)):

We've had-

Chris Russello ([17:52](#)):

... I've done-

Ray ([17:53](#)):

Is there a way to say an average per year, maybe?

Chris Russello ([17:54](#)):

I've been on the boat since the boat was built, many, many, many trips. And not only-

Ray ([18:01](#)):

All Truth boats?

Chris Russello ([18:02](#)):

No. I'm just telling you as a shop owner, as a passenger with other shops, I've done with other shops before I had my own shop.

Ray ([18:09](#)):

Perfect. But you've made multi-day trips on all three Truth Aquatic-

Chris Russello ([18:12](#)):

Oh, God, yes.

Ray ([18:12](#)):

... boats?

Chris Russello ([18:13](#)):

Yes I have.

Ray ([18:14](#)):

Okay.

Chris Russello ([18:14](#)):

Oh, yeah.

Ray ([18:16](#)):



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And can we just spitball a number of per year, 15 trips, average?

Chris Russello ([18:20](#)):

Probably, or more.

Ray ([18:22](#)):

15 to 20, maybe?

Chris Russello ([18:24](#)):

Between one-days, you're talking about multi-days or one-days?

Ray ([18:27](#)):

Specifically multi-days.

Chris Russello ([18:29](#)):

We did more a lot of one-days. Multi-days, probably-

Speaker 4 ([18:32](#)):

10?

Chris Russello ([18:37](#)):

... as a shop owner, probably. As a shop owner [inaudible 00:18:39] probably 10.

Speaker 4 ([18:40](#)):

Yeah.

Ray ([18:40](#)):

About 10 a year. Multi-days?

Chris Russello ([18:42](#)):

Yeah, probably.

Ray ([18:42](#)):

Gotcha. And that's spread out through all three boats?

Chris Russello ([18:45](#)):

Yeah.

Ray ([18:45](#)):

Gotcha. So on any of those trips, that's a lot of trips. Wow. Do you-

Chris Russello ([18:51](#)):

Well again, you know, I-

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Ray ([18:52](#)):

No, I know it's what you do. That's perfect. That's fine with me. I understand.

Chris Russello ([18:57](#)):

And again, as an owner, I've been on that boat, being in the dive business, being as a diver as a long time, I have. I've been on that boat as a passenger with other shops, too. You know, I had-

Ray ([19:06](#)):

Sure, I hear you.

Chris Russello ([19:09](#)):

I had a very good friend of mine who charter those boats exclusively before I opened my own store. I went with him many, many times. Many, many times.

Ray ([19:16](#)):

And what was that charter's name or- [inaudible 00:19:19]

Chris Russello ([19:19](#)):

Oh, dive shop, he's out a business now. It's called Aqua Adventures.

Ray ([19:22](#)):

Aqua Adventures?

Chris Russello ([19:23](#)):

Yeah. He's been closed up a couple years now, Greg.

Speaker 4 ([19:26](#)):

About four years?

Deborah Jean Disney ([19:26](#)):

About four years.

Chris Russello ([19:27](#)):

Yeah. He exclusively chartered.

Ray ([19:29](#)):

Where was he out of?

Chris Russello ([19:29](#)):

Burbank.

Ray ([19:30](#)):

And his name?

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Chris Russello ([19:32](#)):

Greg Tash. T-A You could just tell him T-A-S-H- something I-A-N. Tash.

Ray ([19:43](#)):

Tashian?

Chris Russello ([19:46](#)):

Tashian, yeah.

Ray ([19:47](#)):

Something like that? Okay. On all those trips, now that you got the juices flowing, thinking about all the trips over the years, do you ever recall at night observing a crew member doing any type of watch standing duties?

Chris Russello ([19:59](#)):

Yeah. Yeah, I have.

Ray ([20:00](#)):

And could you describe that a little?

Chris Russello ([20:02](#)):

Watch is you walk on the boat, make sure everything's ... The thing about a watch is number one, you check to make sure everything's okay. Number two, make sure the anchor doesn't slip.

Ray ([20:14](#)):

Right.

Chris Russello ([20:14](#)):

You make sure everything's okay in the engine room. That's what you do as a watch. And I've seen it and it's-

Ray ([20:21](#)):

Now, can we distinguish someone just being awake who happens to be a crew member, and a crew member being on a designated watch? Did you ever know?

Chris Russello ([20:33](#)):

It's the same thing. You do make your rounds every ... You know?

Ray ([20:40](#)):

No, and I'm tracking with you.

Chris Russello ([20:41](#)):

Right.

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Ray ([20:42](#)):

I get what you're saying. I understand the nature of a watch as well. But my question is, or the point I want to make, Chris, is I want to try and stay away from what we should do-

Chris Russello ([20:55](#)):

No. I'm just-

Ray ([20:55](#)):

... or what would be done during a roving watch. Because I'm with you.

Chris Russello ([21:00](#)):

I can't-

Ray ([21:01](#)):

What did you observe? Is-

Chris Russello ([21:02](#)):

Yeah.

Ray ([21:02](#)):

... what I'm asking.

Chris Russello ([21:04](#)):

Again, when you have a watch, you do watch, are you constantly moving on the boat? No, because you go check, and you go check, you go check, you sit down, you get up, go check, go check. Sit down. Go. That's what you do.

Ray ([21:15](#)):

These crew members that you saw awake at night, did you ever hear them say anything like, "Oh, man, this watch sucks." Or-

Chris Russello ([21:22](#)):

No.

Ray ([21:22](#)):

"I got to go, I'm tired."

Chris Russello ([21:22](#)):

No.

Ray ([21:24](#)):

Or was there any specific-

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Chris Russello ([21:25](#)):

No.

Ray ([21:25](#)):

... reference made to them?

Chris Russello ([21:27](#)):

Uh-uh.

Ray ([21:28](#)):

So hear me out, not them complaining about it, but did you ever hear-

Chris Russello ([21:32](#)):

Comments? No.

Ray ([21:33](#)):

Yeah. A comment about them being on watch specifically?

Chris Russello ([21:37](#)):

No, because in my opinion, in my experience, if you're a crew, that's what you do.

Ray ([21:43](#)):

Certainly. Yeah. I would agree. That's a good practice.

Speaker 4 ([21:46](#)):

Can I ask a question?

Ray ([21:47](#)):

Go ahead.

Speaker 4 ([21:47](#)):

In particular, those times that you were a passenger, with your experience and your breadth of knowledge, what constituted in your belief that they were conducting a watch? Those specific times that you saw crew members?

Chris Russello ([22:03](#)):

Yeah. Well-

Speaker 4 ([22:03](#)):

What specific-

Chris Russello ([22:03](#)):

When I get up-

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Speaker 4 ([22:03](#)):

... were they-

Chris Russello ([22:03](#)):

Like I said, you know, when you get old, you have to get up in the middle of the night.

Speaker 4 ([22:04](#)):

Yeah.

Chris Russello ([22:06](#)):

When you get up in the middle of the night, and you see somebody, and say, "How's everything going?" "Great. Everything going good?" "Yeah."

Ray ([22:11](#)):

Okay.

Speaker 4 ([22:11](#)):

They were just-

Chris Russello ([22:11](#)):

They were awake.

Speaker 4 ([22:11](#)):

... up?

Chris Russello ([22:12](#)):

What?

Speaker 4 ([22:12](#)):

What you're saying is your perception is they were just awake?

Chris Russello ([22:15](#)):

No. My perception is you could tell whether somebody's sleeping or not by the way to talk to you.

Speaker 4 ([22:20](#)):

Okay.

Chris Russello ([22:22](#)):

Again, if you go out there and say, "How you doing?" "[inaudible 00:22:23]." If they're awake and they're talking to you, you know they're on watch.

Ray ([22:28](#)):

Kind of- [inaudible 00:22:28]

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Speaker 4 ([22:28](#)):

But they've never made a mention that they were on watch. You just happen to bump into them while they were awake and you're making that-

Chris Russello ([22:34](#)):

Well-

Ray ([22:36](#)):

Well, let's do this. When you were-

Chris Russello ([22:38](#)):

You're making this. You got to understand something.

Speaker 4 ([22:38](#)):

Yeah.

Chris Russello ([22:40](#)):

Have you done it before?

Speaker 4 ([22:41](#)):

Have I done watch?

Chris Russello ([22:42](#)):

Yeah.

Speaker 4 ([22:42](#)):

I've done it on patrol. So it's just-

Chris Russello ([22:45](#)):

It's almost the same thing.

Speaker 4 ([22:46](#)):

Yeah.

Chris Russello ([22:46](#)):

Yeah, it's almost the same thing.

Ray ([22:47](#)):

So specifically then, Chris, when you were second captain this year, right?

Chris Russello ([22:52](#)):

Right.

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Ray ([22:53](#)):

Did anyone assign a night watch to anyone?

Chris Russello ([22:59](#)):

That captain, I'm just going by what the captain did.

Ray ([23:00](#)):

Yeah. That's all we can ask.

Chris Russello ([23:06](#)):

I did not.

Ray ([23:06](#)):

Gotcha.

Chris Russello ([23:06](#)):

Yeah.

Ray ([23:06](#)):

Did you observe anyone awake at night for crew on the Truth during that multi-day trip and did this?

Chris Russello ([23:13](#)):

No, I did not.

Ray ([23:13](#)):

But you did your-

Chris Russello ([23:15](#)):

I went to bed, you know, so no.

Ray ([23:20](#)):

Yeah. And did you observe other crew members go to bed?

Chris Russello ([23:22](#)):

Well, I was down in the bunk room. They were up in the wheelhouse.

Ray ([23:25](#)):

I see. Who was sleeping where the second captain usually sleeps? Or is that not-

Chris Russello ([23:30](#)):

A crew member.

Ray ([23:31](#)):



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Gotcha.

Chris Russello ([23:33](#)):

Was a crew member.

Ray ([23:34](#)):

Did you ever see a watch schedule posted anywhere on the shift?

Chris Russello ([23:36](#)):

No.

Ray ([23:40](#)):

Okay. When you came on as second captain, did anyone present what's called, what's known as the COI to you? Did anyone show you that?

Chris Russello ([23:48](#)):

No.

Speaker 4 ([23:49](#)):

Usually-

Chris Russello ([23:49](#)):

No.

Ray ([23:49](#)):

Do you know what it is?

Chris Russello ([23:49](#)):

Certificate of inspection. Yes, I know what it is.

Ray ([23:51](#)):

Gotcha. So no one showed it to you, Craig, or whoever didn't go over it with you, but did you look at it on your own at all?

Chris Russello ([23:59](#)):

No. Usually, I know it's posted in the wheelhouse, I believe.

Ray ([24:02](#)):

Yeah.

Chris Russello ([24:04](#)):

You usually don't look at them.

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Ray ([24:07](#)):

Okay. Sorry?

Chris Russello ([24:07](#)):

I said, "It is posted." You look up and say, "Okay, it's posted." Do you read them? I guess. It's-

Ray ([24:15](#)):

Did you read it on that particular trip-

Chris Russello ([24:16](#)):

No.

Ray ([24:16](#)):

... before the trip?

Chris Russello ([24:17](#)):

No.

Ray ([24:18](#)):

Gotcha. What's your understanding of the COI in general? Is that like general recommendations for a vessel?

Chris Russello ([24:23](#)):

No, COIs basically is, you know, your tonnage-

Ray ([24:29](#)):

Mm-hmm.

Chris Russello ([24:30](#)):

... your length, how many passengers you can carry, your draft, they also have them in what your conditions are, you coastal, that type of thing.

Ray ([24:43](#)):

Sure. Gotcha. What was the first time you heard about the term roving watch, Chris?

Chris Russello ([24:50](#)):

Oh God, that goes back in my captain's course.

Ray ([24:57](#)):

Okay. And did you ever hear that term on the Truth boats over the years?

Chris Russello ([25:00](#)):

We just called a watch. It was just commonly termed as a watch.

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Ray ([25:04](#)):

So every watch is just called watch?

Chris Russello ([25:06](#)):

Yeah. As far as I know. Yes. Because when I worked on dive boats, they said, "This is your watch date, this is your time for your watch."

Ray ([25:12](#)):

Sure. And again, I don't want to conflate the two. Right?

Chris Russello ([25:14](#)):

Right.

Ray ([25:15](#)):

So your prior experience and training being a merchant mariner and then your time on Truth.

Chris Russello ([25:21](#)):

Right.

Ray ([25:22](#)):

So what we focus on is what is going on with Truth, right-

Chris Russello ([25:25](#)):

Right.

Ray ([25:25](#)):

... and to understand better their practices, what they did do, what they didn't do.

Chris Russello ([25:29](#)):

Again, as I said before, I asked the captain, "What time is my watch?"

Ray ([25:33](#)):

Yeah. And you meant night?

Chris Russello ([25:36](#)):

No, you could have it.

Ray ([25:40](#)):

Did-

Chris Russello ([25:40](#)):

During the day we're all awake, you know, during-

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Ray ([25:42](#)):

Sure.

Chris Russello ([25:42](#)):

... watching the passengers. So yeah, of course it's going to be at night, when we're anchored.

Ray ([25:46](#)):

Gotcha.

Chris Russello ([25:46](#)):

You know?

Ray ([25:46](#)):

All right.

Chris Russello ([25:46](#)):

Whether it be before dinner, or after dinner, middle of the night, whenever. Because during the day I was constantly, if you tell it roving watch, that's what I did. I actually watched the passengers. I actually was responsible for the passengers, and make sure everything was going smoothly. When they were out snorkeling in the water, we were watching the water. When they were on the kayaks, we were watching that, you know, that type of thing.

Ray ([26:09](#)):

Yeah.

Chris Russello ([26:10](#)):

We watch for any type of ... especially kids, you know-

Ray ([26:15](#)):

Gotcha.

Chris Russello ([26:15](#)):

... that you don't want to ... Yeah, kids get rambunctious, but you got to make sure they don't get horseplay, so it's a safety issue. So we watch that. You know?

Ray ([26:23](#)):

Sure. So speaking of safety issues, what if you're the captain, and I'm one of your deckhands, and when you and I look at COI, and it says, "Roving watch at night." And then you tell me, "Hey Ray, you got a roving watch tonight from 00:00 to 04:00."

Chris Russello ([26:49](#)):

Okay.

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Ray ([26:51](#)):

And let's say you get up to use the bathroom and you find me asleep.

Chris Russello ([26:55](#)):

You asking a hypothetical situation?

Ray ([26:56](#)):

Absolutely.

Chris Russello ([26:59](#)):

Okay. So whatever I do?

Ray ([27:01](#)):

Yeah.

Chris Russello ([27:04](#)):

After I wake you up?

Ray ([27:07](#)):

Yeah. You woke me up. I got drool coming out and everything.

Chris Russello ([27:09](#)):

And after a good ass chewing?

Ray ([27:11](#)):

Good ass chewing. Yeah.

Chris Russello ([27:13](#)):

I would make sure you're on that watch. Okay.

Ray ([27:15](#)):

So you wake me up and I say, "What's the problem?"

Chris Russello ([27:19](#)):

"You're on watch." And you would definitely, after a thorough ass chewing ...

Ray ([27:28](#)):

But why would you be mad?

Chris Russello ([27:30](#)):

Because I gave you a specific order, period. And this is why we give specific. There's a reason why we do this.

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Ray ([27:38](#)):

Gotcha.

Chris Russello ([27:39](#)):

And any good mariner knows, and I'm sure you guys do know this, the responsibility is boat, passengers, period. That's it.

Ray ([27:49](#)):

Okay.

Chris Russello ([27:50](#)):

And a roving watch is for the safety of the boat and the safety of the passengers.

Ray ([27:54](#)):

Gotcha.

Chris Russello ([27:55](#)):

So this crew member would be very serious trouble with me. And probably, in my opinion, when I got back to dock, he would never work with me again.

Ray ([28:06](#)):

I see.

Chris Russello ([28:07](#)):

That simple.

Ray ([28:08](#)):

So you just chewed me out and I say, "All right, what do you want me to do?"

Chris Russello ([28:13](#)):

Well, I probably would extend his watch.

Ray ([28:14](#)):

Okay.

Chris Russello ([28:16](#)):

And just hypothetical.

Ray ([28:17](#)):

So he's green, how do I stay on that? What do I do?

Chris Russello ([28:21](#)):

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I'd probably stay awake for a while, and watch him, make sure he does his job and train him how to do it.

Ray ([28:27](#)):

And you just went like that with your hand-

Chris Russello ([28:29](#)):

Yeah, what we did-

Ray ([28:29](#)):

... in a circle?

Chris Russello ([28:30](#)):

Yeah. I mean go around the boat, "Do this, do the passengers. Do this. [inaudible 00:28:34]." Specifically show him, "This is what you could do." Period.

Ray ([28:37](#)):

So you'd take them around the boat, show him what a-

Chris Russello ([28:39](#)):

Exactly what you do.

Ray ([28:41](#)):

... what a roving watch would be?

Chris Russello ([28:42](#)):

Exactly. You go in the bunk room, make sure passengers good. You go down the engine room, make sure everything's fine. You go in the galley, you walk around the deck, you make sure this is on. You know?

Ray ([28:50](#)):

Yeah. Gotcha.

Chris Russello ([28:53](#)):

You look behind the deck. If you're on two anchors per se, you make sure the anchors are tight, you make sure they're fine, you make sure you have no problems where you have things. If things fell down on deck, you pick it up. You make sure it's secure.

Ray ([29:08](#)):

Yeah.

Chris Russello ([29:09](#)):

You go in the galley, you make sure everything's off, you know, nothing's hot.

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Ray ([29:11](#)):

Right.

Chris Russello ([29:12](#)):

You go and make sure your lights are working. You go up front in your bow and make sure you bow line ... You down engine room, make sure everything looks good, nothing's leaking.

Ray ([29:22](#)):

Yeah.

Chris Russello ([29:22](#)):

You go down the bunk room, you be very, very quiet, make sure the passengers fine. That's what you do. That's what I did on dive boats. Okay?

Ray ([29:31](#)):

Gotcha.

Chris Russello ([29:31](#)):

So-

Ray ([29:32](#)):

Appreciate that.

Chris Russello ([29:34](#)):

Like I said, after a good ass chewing, they'd be trained on how to do it.

Ray ([29:37](#)):

Gotcha. Appreciate that. I asked you how much you actually piloted during your trip. Was anyone else allowed to drive the boats?

Chris Russello ([29:48](#)):

Just the captain and I.

Ray ([29:50](#)):

Did you see any deckhands driving?

Chris Russello ([29:51](#)):

No.

Ray ([29:52](#)):

Did any deckhands go on dives while you were out?

Chris Russello ([29:56](#)):



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Yeah. As long we either had myself or the captain, they could do a dive. Yeah. As long as the passengers ... The way the trip was, the passengers did a lot of kayaking.

Ray ([30:08](#)):

Gotcha.

Chris Russello ([30:08](#)):

Okay. So if they're off doing kayaking, half hour, hour gives us a chance to, once everything's fine, take a half hour go make a dive. Yeah.

Ray ([30:18](#)):

Sure. So how many crew would be on a dive at once?

Chris Russello ([30:25](#)):

Just one.

Ray ([30:25](#)):

Just one?

Chris Russello ([30:25](#)):

Just one.

Ray ([30:25](#)):

Did you ever see two?

Chris Russello ([30:30](#)):

No.

Ray ([30:30](#)):

Okay. Now, going off of, so that was when you were the second captain, that one trip.

Chris Russello ([30:32](#)):

Mm-hmm.

Ray ([30:33](#)):

Right? In looking back on all the years, was it common to see crew making dives as well?

Chris Russello ([30:39](#)):

Oh, yeah.

Ray ([30:39](#)):

Yeah.

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Chris Russello ([30:40](#)):

Oh, yeah. As long as everything was secure, absolutely.

Ray ([30:43](#)):

Gotcha. Appreciate that.

Chris Russello ([30:44](#)):

That was ... You know?

Ray ([30:52](#)):

Okay. We're hearing a lot about the discharging of the black water pretty close to shore and all that. And we understand that tanks only have a certain amount of holding ability, and that sometimes people choose to just let it rip and discharge. How many times did you notice that that happened on-

Chris Russello ([31:10](#)):

None. I never noticed that. I didn't know they did that. Didn't even know.

Ray ([31:16](#)):

Gotcha. Did you ever hear a crew talking about the overboard discharge valve for sewage?

Chris Russello ([31:22](#)):

Nope. Not at all.

Ray ([31:24](#)):

Is it common practice for boats that size, and working in that type of area to discharge sewage like that near shore?

Chris Russello ([31:32](#)):

I don't know. I don't know.

Ray ([31:38](#)):

When you were on the Truth boats, Chris, did you notice, like I asked earlier, anything that caught your eye? To elaborate more on that, did you notice any policies being broken to your knowledge-

Chris Russello ([31:50](#)):

No, not-

Ray ([31:50](#)):

... from the Truth-

Chris Russello ([31:51](#)):

... to my knowledge.

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Ray ([31:51](#)):

... people?

Chris Russello ([31:51](#)):

Not to my knowledge. It was a very safe trip.

Ray ([31:55](#)):

Yeah.

Chris Russello ([31:55](#)):

The crew was excellent.

Ray ([31:58](#)):

Gotcha.

Chris Russello ([31:58](#)):

The passengers were very safe. They were very appreciative, especially when you're talking about having sixth, seventh, eighth graders on board. And-

Ray ([32:09](#)):

What makes you say the passengers were safe?

Chris Russello ([32:11](#)):

Well, I'm saying is kids can get out of control. The parents and everybody else kept the kids online, which means they kept it safe.

Ray ([32:20](#)):

And then the crew helped-

Chris Russello ([32:21](#)):

Yeah.

Ray ([32:21](#)):

... keep-

Chris Russello ([32:22](#)):

Yeah. And-

Ray ([32:22](#)):

... the kids?

Chris Russello ([32:23](#)):

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We worked together. They did kayaking. So we unloaded, we made sure when we unloaded kayaks they were well back so nobody got hurt, nobody got hit. When they went in kayaks, everybody put life jackets on to make sure that ... So, you know, the safety was really good.

Ray ([32:36](#)):

Gotcha. Appreciate that.

Chris Russello ([32:38](#)):

Yeah.

Ray ([32:39](#)):

So speaking on that safety front, if you think back to that safety brief, when it was done, do you recall what the emphasis was on it? Was it more dive safety? Was it more like-

Chris Russello ([32:51](#)):

No, it was more boat safety about, "Here's where our ... " Like every safety briefing we tell where the ... God forbid there's a problem in the bunk room where the hatch was, you're talking about the fire extinguisher on every single area of the deck. We talk about if there's a problem.

Ray ([33:09](#)):

Now, sorry, is this previous boats or is this Truth?

Chris Russello ([33:11](#)):

Truth. I've seen this on the Truth. As far as boats are concerned, in my opinion, you really have standard pretty well safety briefings. They don't vary much.

Ray ([33:23](#)):

Same in general?

Chris Russello ([33:24](#)):

In general, yeah, where if there's a problem, and I've seen this. I don't know how many times I've heard this on the Conception about, "If there's a problem, go to a crew member for where your life jacket's off. We have EPIRB system, we have floating things, we have fire extinguish, everything."

Ray ([33:44](#)):

Yeah. Is there any way to find out how many trips on Conception you did? Can you-

Chris Russello ([33:51](#)):

Oh my God, I've been going on Conception since it was launched in 19 ... early, was '80, '81.

Ray ([33:57](#)):

Wow. Very cool. Did you ever see any other crew physically go through traverse, the escape hatch for the passengers to see? Was that ever part of the procedure?

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Chris Russello ([34:10](#)):

No. He just told us where it is, how it works.

Ray ([34:13](#)):

Would they just point at it?

Chris Russello ([34:14](#)):

Oh, yeah.

Ray ([34:14](#)):

Okay. Gotcha.

Chris Russello ([34:16](#)):

We knew where.

Ray ([34:17](#)):

Did you ever-

Chris Russello ([34:17](#)):

Let me tell you something, the crew of the Conception was topnotch. Topnotch.

Ray ([34:23](#)):

At what?

Chris Russello ([34:24](#)):

At safety training. Jerry, in my opinion, I wish I could have been second with him, would've learned so much, because he was probably one of the, in my opinion, top five in the state who knows how to boats, and how to handle it, and safety was number one with him. And anal? Oh my God. We used to talk about, and he said, "This is how we do it. This is why I do it." You know?

Ray ([34:54](#)):

Sure.

Chris Russello ([34:55](#)):

Yeah. And he did not let any ... And I remember, I don't know how many times, I'm talking about one-day trips, not multi-day trips, one-day trips. How many times everybody's in the galley, and head counts, and this, got to make sure everybody's in there. And he went over, and over, and over about the safety procedures in the boat all the time, all the time. Jokingly, I could almost do it verbatim because I've heard it so many times. So that boat you always were very safe on.

Ray ([35:26](#)):

Gotcha.

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Chris Russello ([35:27](#)):

You always felt very safe. And I've been into some weather with him, where no problem, you handle it fine. He said, "Hey, we're going to hit some weather. Nobody goes out on deck. Everybody stays in the galley or in the bunk room. It's going to be rough."

Ray ([35:47](#)):

Yeah.

Chris Russello ([35:48](#)):

He was very anal about, you know, that.

Ray ([35:48](#)):

Yeah.

Chris Russello ([35:49](#)):

It's sign of a good captain. You know?

Ray ([35:51](#)):

Yeah. Gotcha.

Chris Russello ([35:56](#)):

And they had situations, and I've had situations, every boat's had a situation where, if you have a diver get hurt, you have to call Coast Guard for helicopters. "Everybody in the galley, don't come out." It's just that type of procedure. He was very, very, very, you know, very good about that.

Ray ([36:23](#)):

I hear you.

Chris Russello ([36:23](#)):

Yeah.

Ray ([36:24](#)):

In all those years on the Conception in the other boats, did you ever hear about any fire of any size on any of the boats?

Chris Russello ([36:32](#)):

Be honest with you, I've never heard of a fire on any dive boat. Never. When this happened, it was such a shock, because it's something unheard of. Really, it's unheard of.

Ray ([36:44](#)):

Yeah.

Chris Russello ([36:48](#)):

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I can't think about any dive situation, any dive boat, ever, I've ever heard about this magnitude of accident.

Ray ([36:55](#)):

So maybe not that magnitude, but did you ever hear about a trash can fire-

Chris Russello ([36:58](#)):

No.

Ray ([36:59](#)):

... a battery fire, a- [inaudible 00:37:01]

Chris Russello ([37:00](#)):

No.

Ray ([37:00](#)):

... fire, a-

Chris Russello ([37:01](#)):

No.

Ray ([37:01](#)):

... generator fire-

Chris Russello ([37:02](#)):

No.

Ray ([37:03](#)):

... on any Truth boat?

Chris Russello ([37:03](#)):

On any boat.

Ray ([37:03](#)):

Okay.

Chris Russello ([37:07](#)):

Not necessarily Truth boat, any boat. Yeah.

Ray ([37:11](#)):

Yeah. What's been your view over the years of Glen's level of involvement with the boats?

Chris Russello ([37:18](#)):

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Hands on.

Ray ([37:18](#)):

Hands-

Chris Russello ([37:19](#)):

Hands on. I can remember one thing we were talking about one time. He had an inspection. Okay. And it was something minor, he needed the Coast Guard said to do. Before the person left for inspection it was fixed.

Ray ([37:37](#)):

Gotcha. Would there be any part of the company that Glen wouldn't know about?

Chris Russello ([37:43](#)):

No, absolutely not. He was a hands on owner.

Ray ([37:47](#)):

Gotcha.

Chris Russello ([37:48](#)):

He was a hands-on captain.

Ray ([37:50](#)):

Gotcha.

Chris Russello ([37:51](#)):

And let me tell you something, when he came to those boats, he kept them in topnotch shape. Was-

Ray ([37:58](#)):

And you've known Glen since what year?

Chris Russello ([37:59](#)):

I met Glen when he was a deckhand on the original Truth back in the '70s.

Ray ([38:06](#)):

Oh, wow. Gotcha. So if I ask Glen about the training programs for his boats-

Chris Russello ([38:12](#)):

Topnotch. Topnotch.

Ray ([38:14](#)):

Would he know about them?



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Chris Russello ([38:16](#)):

Oh, God, yeah. I would say so. In my opinion, yes. Absolutely.

Ray ([38:18](#)):

Would he know what's going on with his captains, what they're training and not training?

Chris Russello ([38:23](#)):

Again, that's something to ask Glen. I don't know.

Ray ([38:25](#)):

Gotcha.

Chris Russello ([38:26](#)):

I don't know. But all I know is as far as Glen is concerned, all the years I've known him, topnotch. Topnotch captain, topnotch. When those boats, and we've had other boats we charter, every time we charter that boat and we put our customers on that boat, they come back, go, "When are we going back?" That's a topnotch operation every single time.

Deborah Jean Disney ([38:48](#)):

May I add something? I take students out quite frequently, midweek. And I have used the Truth boats. And I can recall a specific time I got on, and I was talking to somebody on the boat the night before. I spent the night on the boat. And I found out it was Glen. He was the one that was on the boat that met me, and he basically was showing me a couple of things. So he's definitely a hands-on owner.

Ray ([39:25](#)):

Gotcha.

Deborah Jean Disney ([39:26](#)):

Hands on.

Ray ([39:26](#)):

Gotcha. Yeah.

Chris Russello ([39:29](#)):

Yeah. I've been on other boats and we actually had a customer, his first two-day was on the Conception. He said, "If you would take me on the Conception before you took me on his other boat first, I would've never gone on this other boat. I would've stuck with that."

Ray ([39:45](#)):

Really?

Deborah Jean Disney ([39:45](#)):

But he'd done the other boat first.

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Chris Russello ([39:45](#)):

Yeah. I'm saying-

Deborah Jean Disney ([39:48](#)):

And then we-

Chris Russello ([39:49](#)):

... to the other boat first, then he-

Deborah Jean Disney ([39:50](#)):

Then we did the Conception.

Chris Russello ([39:51](#)):

... Conception, he said-

Deborah Jean Disney ([39:51](#)):

He came back-

Chris Russello ([39:51](#)):

... "I would never- "

Deborah Jean Disney ([39:51](#)):

... and said, "Ah."

Ray ([39:51](#)):

Gotcha.

Chris Russello ([39:51](#)):

Yeah. It was-

Ray ([39:57](#)):

How many trips would you say you made with Glen overnight? Overnight, multi-day trips.

Chris Russello ([40:01](#)):

A lot over the years.

Ray ([40:02](#)):

A lot?

Chris Russello ([40:02](#)):

Yeah.

Ray ([40:02](#)):

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And he-

Chris Russello (40:07):

When he first started out back in the '80s, God bless him, he was successful, that if you could get on a boat, go for it. He was that booked. He was that good.

Ray (40:20):

Oh, okay.

Chris Russello (40:20):

And I remember when the vision got lost, I think it was '84 or '85, it was like you couldn't get on. Thank God he was booked, because you couldn't, when you had a one-day, go for it, you know, because it was that good of a boat. It was just that-

Ray (40:33):

Yeah.

Chris Russello (40:34):

... phenomenal because he had that reputation, that he just ran great boats.

Ray (40:38):

So it was the reputation for customer service?

Chris Russello (40:40):

Everything.

Ray (40:40):

Everything.

Chris Russello (40:41):

Everything. Customer service, safety, you had a great experience. You had topnotch crew, topnotch captain, everything.

Ray (40:48):

On those trips, Chris, that you made with Glen, all those trips, was Glen a passenger or a captain?

Chris Russello (40:53):

No, a couple times was a captain.

Deborah Jean Disney (40:56):

Excuse me. Courtney wants to come in and pick up everything. Is it ready?

Chris Russello (41:02):

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You said a regulator, right?

Deborah Jean Disney ([41:02](#)):

It's just a regulator.

Chris Russello ([41:02](#)):

Yeah.

Deborah Jean Disney ([41:02](#)):

Okay. Well.

Chris Russello ([41:08](#)):

No, he had-

Ray ([41:08](#)):

Mostly, so some passenger, sometimes as a captain you made trips with him?

Chris Russello ([41:12](#)):

Yeah. He was captain a couple times.

Ray ([41:16](#)):

And on those trips that he was the captain, was it just a typical, everybody works a long day. Crew's been running, filling tanks, doing dives, helping people. Was it-

Chris Russello ([41:30](#)):

They do that. As a passenger you see that.

Ray ([41:33](#)):

Yeah.

Chris Russello ([41:33](#)):

They're always there to help you. Help-

Ray ([41:35](#)):

So do they work pretty long days, the crew?

Chris Russello ([41:37](#)):

I don't think so. No, I don't think so.

Ray ([41:43](#)):

Gotcha.

Chris Russello ([41:43](#)):

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They do, you put in a day, you do.

Ray ([41:46](#)):

Gotcha. On those trips all over the years that you've made with Glen as whether Glen's been a passenger or a master, did you ever-

Chris Russello ([41:52](#)):

Glen never was a passenger, he was a master. You know what I mean?

Ray ([41:54](#)):

Sorry?

Chris Russello ([41:55](#)):

Glen had his own. He hired some great captains. He really did. I knew a lot of the captains. A couple of times I went with Glen as a captain, you know, but he basically hired some great captains.

Ray ([42:07](#)):

Gotcha.

Chris Russello ([42:07](#)):

Yeah.

Ray ([42:08](#)):

And on those times, those trips you made with Glen as the captain, did he ever assign you a night watch?

Chris Russello ([42:14](#)):

I was just a passenger. I wasn't working for him.

Ray ([42:16](#)):

Oh, I see what you mean.

Chris Russello ([42:18](#)):

I only worked for him one time. I only worked that five days. Other times I was always-

Ray ([42:21](#)):

What year, more or less was that five-day time you worked with Glen?

Chris Russello ([42:23](#)):

It was this year.

Speaker 4 ([42:23](#)):

So now- [inaudible 00:42:27]

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Ray ([42:23](#)):

Oh, it's- [inaudible 00:42:27]

Deborah Jean Disney ([42:23](#)):

Glen.

Speaker 4 ([42:28](#)):

He only had one trip with Truth.

Chris Russello ([42:29](#)):

I only had one trip with Truth.

Speaker 4 ([42:29](#)):

Yeah. So we were [inaudible 00:42:32] passengers. He was-

Chris Russello ([42:34](#)):

I didn't work for Glen. I worked for the Truth. But Glen was not the captain on that five day.

Ray ([42:38](#)):

Craig was.

Chris Russello ([42:39](#)):

Craig was.

Ray ([42:39](#)):

Gotcha.

Chris Russello ([42:40](#)):

I was only a second one time.

Speaker 4 ([42:42](#)):

Yeah.

Chris Russello ([42:42](#)):

I only did, yeah.

Speaker 4 ([42:42](#)):

Perfect.

Chris Russello ([42:42](#)):

Yeah, Person.

Speaker 4 ([42:43](#)):

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Okay.

Chris Russello ([42:43](#)):

All the other times I was-

Speaker 4 ([42:45](#)):

Passenger.

Ray ([42:45](#)):

So-

Chris Russello ([42:45](#)):

I was a passenger.

Ray ([42:47](#)):

All those other times. You did make some trips, like we just talked about with Glen, right? But you were a passenger.

Chris Russello ([42:53](#)):

Yeah, one-day trips. One-day trips. We did some one-day trips.

Ray ([42:58](#)):

You never made multi-day trips with-

Chris Russello ([43:00](#)):

As Glen as a captain? No. No. Mostly.

Ray ([43:03](#)):

What about with Glen on board?

Chris Russello ([43:04](#)):

No.

Ray ([43:04](#)):

Gotcha.

Chris Russello ([43:04](#)):

Yeah.

Ray ([43:10](#)):

All righty. We're moving right along, here. Got any follow up so far or-

Speaker 4 ([43:13](#)):

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Yeah, I have questions. I just wanted to-

Ray ([43:14](#)):

Go ahead.

Speaker 4 ([43:17](#)):

Okay. I'm going to backtrack on some of the things that you've mentioned prior to. I just didn't want to interrupt his flow of questions. You mentioned in the way beginning, earlier you said, "If there's passengers that are underage, they have to have their parents fill out their waiver form."

Chris Russello ([43:33](#)):

Sign their-

Speaker 4 ([43:33](#)):

Is that-

Chris Russello ([43:33](#)):

... waiver forms.

Speaker 4 ([43:34](#)):

Okay. So there should have been, and when you say underage, under?

Chris Russello ([43:38](#)):

18.

Speaker 4 ([43:38](#)):

Under 18. And so anyone under 18 as a passenger, they have to fill out, or their parents have to fill out the waiver form saying they're allowed to-

Chris Russello ([43:45](#)):

Yes.

Speaker 4 ([43:46](#)):

... do a-

Chris Russello ([43:46](#)):

It is a waiver form. When I'm talking about waiver forms, anytime you get in the water, whether it be for snorkeling or for diving, all dive boats have what they call waiver release forms.

Speaker 4 ([44:02](#)):

Okay.

Chris Russello ([44:03](#)):



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And if you're going to ask me what a waive release form is, it's basically liability form. You understand liability, on, and on, and on. So, yeah.

Speaker 4 ([44:10](#)):

Okay. And this would be provided upon the time of the passenger boarded the boat?

Chris Russello ([44:13](#)):

Uh-huh.

Speaker 4 ([44:15](#)):

Okay. So it would be pre-filled out and then they would- [inaudible 00:44:19]

Chris Russello ([44:18](#)):

No, well, they'd-

Speaker 4 ([44:19](#)):

... charter?

Chris Russello ([44:19](#)):

Yeah, they would fill it out and say they've read it, and they signed it, and if it was under 18.

Speaker 4 ([44:24](#)):

What I'm saying is-

Chris Russello ([44:27](#)):

They had signed it and their parent/guardian signed it. Yeah.

Speaker 4 ([44:29](#)):

What I'm saying is, is it done the day of the dive or they can also- [inaudible 00:44:33]

Chris Russello ([44:33](#)):

No, it's before.

Speaker 4 ([44:33](#)):

Okay. Before the dive. But I'm saying the-

Chris Russello ([44:38](#)):

It's before you get in the water.

Speaker 4 ([44:40](#)):

Okay. So they'll have the form filled out already.

Chris Russello ([44:42](#)):

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Oh, God, yeah.

Speaker 4 ([44:43](#)):

Okay.

Chris Russello ([44:43](#)):

Oh, yeah.

Speaker 4 ([44:45](#)):

Do you get what I'm asking?

Chris Russello ([44:46](#)):

Let's go in back, gentlemen.

Speaker 4 ([44:47](#)):

Okay. Stop at any time?

Chris Russello ([44:51](#)):

[inaudible 00:44:52].

Ray ([44:54](#)):

I'll just let it run. We're going right back there.

Chris Russello ([44:55](#)):

... real quick?

Speaker 4 ([44:57](#)):

What's-

Ray ([44:57](#)):

Sure.

Chris Russello ([44:57](#)):

[inaudible 00:44:59].

Ray ([45:05](#)):

This way, sir?

Chris Russello ([45:15](#)):

This is my rental.

Speaker 4 ([45:16](#)):

I'll let you lead.

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Chris Russello ([45:17](#)):

Yeah. Sorry, guys.

Ray ([45:22](#)):

No problem. We'll keep trucking.

Chris Russello ([45:24](#)):

Nothing back here. This is our classroom slash-

Ray ([45:33](#)):

No problem.

Chris Russello ([45:33](#)):

... [inaudible 00:45:34] a little bit [inaudible 00:45:34]. I'm so sorry about this.

Ray ([45:34](#)):

No, not a problem. We'll keep trucking.

Chris Russello ([45:37](#)):

Yeah. I'm going to use the restroom. And-

Speaker 4 ([45:38](#)):

Sure.

Ray ([45:38](#)):

All righty.

Speaker 4 ([45:39](#)):

I'll just pull a chair up on this side. All right, I'm going to go ahead and stop the recorder for a few minutes.

# **EXHIBIT J2**

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Speaker 3 ([00:02](#)):

Go ahead.

Brian ([00:03](#)):

So I just want to clarify, I'm not a... So a passenger, I'm a passenger, I'm underage, I'm 17, I want to board on a diving boat trip with Truth Aquatics, so I have to fill up or have my parent fill out a waiver form.

Chris ([00:21](#)):

Sign.

Brian ([00:21](#)):

Sign a waiver form, allowing me to be on the dive boat-

Chris ([00:24](#)):

If you're going to get in the water.

Brian ([00:26](#)):

Understood. So if I'm going to get in the water. So I'm assuming I'm going on the dive boat, I'm going to go on the water. So I need that waiver form filled out. Is that paper, is that, I get on the boat, then I give the waiver form? Or it's the waiver forms are already on the boat, my parents join me on the boat alongside me filling out that-

Chris ([00:47](#)):

Either/or. Some boats require you have it ahead of time, you send it to them. Other boats saying if your parents are there. Parent or guardian. It could be a guardian, could be an older brother, older spouse.

Speaker 3 ([00:59](#)):

What is it Truth require though? Truth Aquatics?

Chris ([01:02](#)):

I don't know what they require. All I know is that, when we've had one of my charters, if I have an underage, I have the parents sign a waiver ahead of time and I hand it to them.

Brian ([01:14](#)):

So I'm assuming that there was some underage passengers on your five day trip?

Chris ([01:19](#)):

Oh yes, but we had parents-

Brian ([01:22](#)):

So what was the case? All the parents were with them?

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Chris ([01:23](#)):

We had more parents... No, no, it wasn't... We had parents... It was a school trip. So we had parents, we had guardians and that type of thing. Oh, yeah.

Brian ([01:31](#)):

Got it. So they were already on board.

Chris ([01:32](#)):

They were already on board, yeah.

Brian ([01:33](#)):

Okay. So that's one question I had. Safety reason. So you mentioned you could almost read verbatim these safety briefings that the captain... Or you can-

Chris ([01:45](#)):

I can remember, let me remember them.

Brian ([01:46](#)):

[inaudible 00:01:47]. Were these safety briefings then, were they memorized by the captain, or second captain? Or were they read off of-

Chris ([01:54](#)):

They were read off a sheet.

Brian ([01:54](#)):

They were read off sheet.

Chris ([01:56](#)):

Yeah. They had a policy where actually, and most dive boats have it, you actually have a safety briefing form, and they sit down, they go over everything, and they check it, boom, boom, boom, boom, boom. Now, it's all written down, and either the captain does it, or the dive master does it, or the second captain. Before anybody hits the water, everything's gone over.

Brian ([02:23](#)):

Okay. So now going more in depth, and I know you kind of went already and mentioned some of those things already, but just to reiterate and kind of make sure I understood correctly. So those safety briefing cards, they specified, you said things in regards to... You said, they primarily focused on boat safety. That was what you're-

Chris ([02:42](#)):

In my opinion, yeah. And that's-

Brian ([02:46](#)):

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Okay. So what were some of those things again?

Chris ([02:47](#)):

Well for instance, they'll tell you, we have... Here's the case of emergency. Here's where the life... The PFDs, personal flotation device are. Look to a crew member for help. That's what I'm saying. We have X amount for adults, X amount for children. And they'll tell you where they're located. Some are located... I believe on the Truth, I may be mistaken, but I believe they're up on Sun deck, and the crew members... And I believe they said they will hand them out the case of emergency.

Brian ([03:19](#)):

That's life vest, so now-

Chris ([03:21](#)):

I'm just saying also they have... Talk about other safety features. About the [inaudible 00:03:25], they talk about-

Brian ([03:27](#)):

They talk about fire extinguishers.

Chris ([03:28](#)):

Exactly.

Brian ([03:29](#)):

Fire extinguishers, every... What was that term they use? Every-

Chris ([03:34](#)):

Compartment of the vessel.

Brian ([03:35](#)):

So they did explain that-

Chris ([03:37](#)):

Oh absolutely. They over it completely.

Brian ([03:39](#)):

Did they explain man overboard?

Chris ([03:41](#)):

Yes. They explained what happens. Absolutely.

Brian ([03:44](#)):

Did they... Okay, that's fine. So those things were all addressed-

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Chris ([03:49](#)):

They also explained the fact of, if we get into a current, how they throw a current line out, and how you're supposed to do it. And how they also explained the fact that if you got in trouble, in other words, you were diving. And they explained that if you were panicking, they had an inflatable boat, and they would take it out there, and get a crew member out there. Or if you had a current line, they explained how to come back to line. So yeah, everything was briefed.

Brian ([04:15](#)):

And now I just want to make sure that we're not getting both mixed up in regards to your time as a passenger, which was a lengthy time. And your time as a second captain. So during your second captain trip, was that kind of-

Chris ([04:30](#)):

Okay, the second captain trip was not a diving trip.

Brian ([04:32](#)):

Okay. It wasn't a diving trip.

Chris ([04:34](#)):

It was not a diving trip.

Speaker 3 ([04:34](#)):

Kayaking.

Brian ([04:35](#)):

It was kayaking, you mentioned.

Chris ([04:36](#)):

It was kayaking. It was a scientific thing for... See the Truth did more than just diving. They did research trips and they did scientific trips. This was a scientific trip, where they did kayaking, snorkeling. This was for educational trip for a school.

Brian ([04:52](#)):

But both safety stuff was still in regards to fire extinguishers-

Chris ([04:55](#)):

Absolutely. Absolutely.

Brian ([04:56](#)):

Okay. And then you're saying with regards to the other stuff, it was kind of when you were a passenger, that's what you heard?

Chris ([05:02](#)):



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Yeah. If you are on a dive trip, this is what... They were very, very thorough on, before anybody got in their water, they were very thorough on how they explained all their safeties.

Brian ([05:12](#)):

Okay. So another question. You mentioned that when you were second captain on the Truth with Craig as a captain, that one trip that you did, you were speaking, and you were saying that you were sleeping in the bunk room.

Chris ([05:24](#)):

Bunk room, right.

Brian ([05:25](#)):

As a second captain?

Chris ([05:26](#)):

Yes.

Brian ([05:27](#)):

Was there a reason why you were sleeping in the bunk room or not?

Chris ([05:30](#)):

That's where they assigned me to.

Brian ([05:30](#)):

Okay. So there was not a specific reason, it just-

Chris ([05:33](#)):

No, that's where they assigned me to.

Brian ([05:34](#)):

Okay. Do you know typically if the second captain would sleep in the bunk room?

Chris ([05:38](#)):

Some crew members sleep in bunk rooms. They do have specific-

Brian ([05:40](#)):

Crew, but second captain as-

Chris ([05:42](#)):

The second captain's crew.

Brian ([05:43](#)):

Okay. Well yeah.

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Chris ([05:45](#)):

So a lot of boats and Truth is no exception, but they do have some crew designated in the bunk area. Yes.

Brian ([05:55](#)):

Okay. And you just happened to be for that trip.

Chris ([05:56](#)):

That's where I was assigned to.

Brian ([05:58](#)):

Do from your experience as being as passenger, if it usually was the second captain that would stay in there? Or was it different? Sometimes deck can, sometimes gall, sometimes-

Chris ([06:06](#)):

Yeah. It all depends.

Brian ([06:06](#)):

So it differentiated.

Chris ([06:09](#)):

A crew did spit... Crew, they did have specific bunks for crew in the bunk room, yeah.

Brian ([06:15](#)):

I'm trying to get at is, in your experience, the designated position didn't matter?

Chris ([06:19](#)):

No, didn't matter. [inaudible 00:06:21] crew.

Brian ([06:24](#)):

All right. And you also mentioned that the Conception crew was top notch.

Chris ([06:27](#)):

In opinion, yes, they were.

Brian ([06:30](#)):

And I know you kind of reiterated again, I just want to understand a little bit better. What makes a crew top notch?

Chris ([06:36](#)):

Well, the training they had. The training they had.

Brian ([06:39](#)):

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As?

Chris ([06:39](#)):

Well. The way the captain does the training. You've got a very experienced captain. The captain you can tell... You observe it enough, you've been around, you can do a lot of observation. And in my observation, you can tell the crew was very experienced, the way they handled themselves, the way the captain-

Brian ([06:56](#)):

In what sense?

Chris ([06:57](#)):

Well, safety concern. Very safety concern. They kept an eye on the passengers. In other words, when we're out there, the deckhands, everybody's watching how people... For instance, if you had a problem say, putting it on gear, then the guy's right there to help you. So you observed it right away. When you had a situation where you had a person caught in a current, they knew how to get him back, get him on the line and get him back. If the person was caught down current, they immediately jumped in the inflatable, got into, and get back to the boat. We had a situation where a guy had a... I'm on a trip where a guy had a heart attack, the crew was right there. As I came up from the dive, the guy was still on the boat getting O2, getting attended to, they called Coast Guard. You can tell just by the way they'll act to a situation how good they're trained.

Brian ([07:59](#)):

Okay. This is on the Conception you're referring to?

Chris ([08:00](#)):

Yeah, I was on the Conception, this happened. And again, when I was on-

Brian ([08:03](#)):

When Jerry was captain?

Chris ([08:04](#)):

Absolutely.

Brian ([08:04](#)):

Okay.

Chris ([08:05](#)):

And same thing when I was on the Truth, when Davey was a captain, he was very... They could tell about... The crew did certain things, and you could tell how trained they were.

Brian ([08:18](#)):

And this was all through your observation, your opinion, obviously.

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Chris ([08:22](#)):

Absolutely. And again, the experience I have, I'm not going to, as a shop owner, taking people out. I'm not going to take a person out on a dive boat that doesn't have experience.

Brian ([08:32](#)):

Understood.

Chris ([08:33](#)):

Because why? I'm not going to put my customers on a boat that hasn't got good trained personnel crew. Not going to happen.

Brian ([08:41](#)):

Okay. So then I had another question. So you said you were officially hired, I am assuming with this five day trip that you had with Craig. Was any paperwork given to you to fill out?

Chris ([08:52](#)):

Yes.

Brian ([08:53](#)):

Okay. And can you go kind of and explain what that type of paperwork entailed?

Chris ([08:57](#)):

It showed the policies of the Truth, the payroll, how you're paid it, shows your time off, are you done. It showed which credentials you have to have, that type of thing. It showed their policies about normal [inaudible 00:09:11] normal, but policies of the company.

Brian ([09:14](#)):

Did it go any safety of the-

Chris ([09:16](#)):

Oh yeah.

Brian ([09:17](#)):

Like what?

Chris ([09:21](#)):

For instance, if you see anything could cause a safety issue. For instance, pick it up. If you see something on a deck, pick it up. Make sure the bathrooms are always clean, make sure that everything's put in order, that type of thing. So it was very much of...

Brian ([09:35](#)):

And you filled this out, did you retain a copy of the-

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Chris ([09:38](#)):

I just don't know where I have it.

Brian ([09:39](#)):

But you did retain a copy?

Chris ([09:41](#)):

Oh absolutely. Yeah, I did. So you were very much aware how the organization was run.

Brian ([09:47](#)):

Okay.

Speaker 3 ([09:48](#)):

Was there steps on how to fight a fire on those documents?

Chris ([09:50](#)):

Uh-huh. I believe so. I have to look at it, but I do recall when I scanned it, there was... Yeah, because again, you're talking about an organization that had a good fire system. In my opinion, not all dive boats I've been out on had that type of a safety system that they had.

Speaker 3 ([10:09](#)):

What system are you talking about?

Chris ([10:10](#)):

They had a fire hose. I think one inch, or two inch fire hose on.

Brian ([10:16](#)):

The Truth or which boat?

Chris ([10:18](#)):

I know the Conception had one. I think the Truth had one also. Pretty well. I know the fire system in the engine room. When I saw the engine room, wow, I wish I could have that. Wow. It was like, wow.

Speaker 3 ([10:28](#)):

Gotcha.

Chris ([10:29](#)):

It was clean, it was organized, it had a huge fire suppression system.

Speaker 3 ([10:35](#)):

How do you turn the fire pump on the Truth, Chris?

Chris ([10:41](#)):

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I'm thinking, I believe there's a ball valve. Boom. I believe there was a ball valve right there, and you turned it right on the hose. I believe so. I'm trying to go by memory.

Speaker 3 ([10:51](#)):

Sure. So the valve would let the water flow come through, right?

Chris ([10:54](#)):

Mm-hmm.

Speaker 3 ([10:55](#)):

But is the fire pump always running? Or how does that-

Chris ([10:59](#)):

I'm sure it is. I'm sure it is. Because most of the time all the pumps are running. I know many times we washed down decks and those pumps were always on.

Speaker 3 ([11:08](#)):

Gotcha.

Chris ([11:08](#)):

So yeah, it was never-

Speaker 3 ([11:12](#)):

So let's say you had a fire, is there a lazarette space in the Truth?

Chris ([11:19](#)):

It's a galley. Yeah.

Speaker 3 ([11:21](#)):

I mean, aft all the way at the stern behind the engine room. Is there a space down in there?

Chris ([11:24](#)):

No.

Speaker 3 ([11:25](#)):

There's no.

Chris ([11:25](#)):

You have the engine room, then engine room. I'm sorry. You do have a lazarette at the back. You do have a lazarette at the back. That's where the showers are. And that's also where they stored the... For the food and stuff. And a freezer down there, refrigerator there, dryer down there, and the showers down there in the Truth.

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Speaker 3 ([11:42](#)):

Gotcha. And Truth again, was the one you were on earlier this year-

Chris ([11:46](#)):

Yes.

Speaker 3 ([11:46](#)):

... For a second cabin. So let's say there was a fire down there and you grabbed the nearest fire extinguisher, boom, you blasted it, nothing.

Chris ([11:54](#)):

What do you mean, nothing?

Speaker 3 ([11:57](#)):

You couldn't stop the fire. This is a hypothetical here, in the lazarette of the Truth. Now you're thinking, all right, maybe I want to fight this with the fire hose you were just talking about. So what would be your steps to do that?

Chris ([12:09](#)):

Depends where the fire is.

Speaker 3 ([12:09](#)):

It's in the lazarette.

Chris ([12:10](#)):

Where in the lazarette?

Speaker 3 ([12:14](#)):

Pick a spot.

Chris ([12:16](#)):

Well first of all, the way the Truth is designed, if a fire is in a lazarette, it depends where it is, because-

Speaker 3 ([12:24](#)):

So if you wanted to use the hose, is what I'm getting at, how would you-

Chris ([12:28](#)):

Just go grab and do it? You have to just grab a hose, run down and do it. But it depends. You're talking about hypothetical situation where it depends where it is.

Speaker 3 ([12:38](#)):

Sure. So no more hypotheticals. How do you go from, OMG, there's a fire, to water on it with the hose.

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Chris ([12:47](#)):

Go grab it, get on it.

Speaker 3 ([12:50](#)):

So I'm an alien from another planet, tell me how to do that. I can speak English though.

Chris ([12:56](#)):

Okay. You give me a hypothetical situation on something that hasn't happened. Okay?

Speaker 3 ([13:01](#)):

Yeah.

Chris ([13:02](#)):

And again, it all depends upon the situation. I would fight-

Speaker 3 ([13:06](#)):

And if you don't... And I'm-

Chris ([13:11](#)):

Again it's hard to answer that question, because you're giving me such a broad-

Speaker 3 ([13:14](#)):

So let me make it more clear, sir. And believe me, this is not a trick question. So let me just try to make it as clear as I can. Yes or no. As we sit here today, do you know every step of how to turn on, energize, and use a fire hose on the Truth?

Chris ([13:33](#)):

No.

Speaker 3 ([13:35](#)):

Okay. Did anyone go through that with you before you went on the Truth?

Chris ([13:40](#)):

Yes. Craig did. He did. He did mention.

Speaker 3 ([13:43](#)):

Did you talk through or walk through?

Chris ([13:44](#)):

We did both. We did both. And I do remember we did go over it briefly. This is how you work this. But again-

Speaker 3 ([13:53](#)):



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And when did that happen? When did you go-

Chris ([13:55](#)):

Before we left.

Speaker 3 ([13:57](#)):

At night when it was still dark?

Chris ([14:00](#)):

No, we did it... Think we did it, either did it... We probably did it Monday morning. I'm trying to think if it was Sunday night or Monday morning. Might've been Monday morning. I'm just trying to think. I don't know exactly what day, but I do remember him.

Speaker 3 ([14:15](#)):

So if we ask Craig, he'll know when he did it.

Chris ([14:17](#)):

Probably so. Yeah, probably so.

Speaker 3 ([14:19](#)):

Okay, gotcha. What about-

Chris ([14:21](#)):

I remember him mentioning something about it. Again, we went on a five day trip. Could I tell you every little detail, no. But I know he was very much safety.

Speaker 3 ([14:31](#)):

Gotcha. Chris, what about the installed... Was there an installed system, firefighting system in the engine room?

Chris ([14:37](#)):

Oh God, yes.

Speaker 3 ([14:38](#)):

And how does that work? Do you know that?

Chris ([14:40](#)):

Yeah, I looked at it, and it's CO2 system, and it basically has... They look like shower heads over the motors. If you look at... Yeah, I think it had a 200, 300 pound system, which was a huge system. And there's big tank there, and I remember seeing it, because I thought... I was amazed by it, how big it was. And basically it would cover the whole engine room with a CO2 of showers. And you could either do it up in a wheelhouse, if you had a fire engine, they could-

Brian ([15:10](#)):

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You know I left my credentials and everything.

Chris ([15:12](#)):

I believe they could do 10. If they up in a wheelhouse if they had an alarm, they could hit a switch and hit the CO2. I know there was a thing in the engine room if you had it, you pull a lever right outside, pull a lever, right outside the engine room. So there's two areas you could activate that, and I think it was... And I'm not sure, I think they also had an automatic system too, but it was a huge system.

Speaker 3 ([15:36](#)):

Gotcha. Pretty stout.

Chris ([15:38](#)):

Boy, it was nice. It was beautiful. It was nice and clean. I remember seeing that red tank, it said CO200, you probably eat off it. It was so polished and everything was... And the whole engine room, you could eat off that engine room. It was so clean and polished and stuff.

Speaker 3 ([15:53](#)):

Yeah. Let me ask you, thinking back to all the trips over the years, and if the answer is no, that's fine. We just want to know what's real and what's not. Did you ever notice actual, let's say firefighting training being conducted?

Chris ([16:12](#)):

No. That's something passengers don't see. No. It's something passengers don't see.

Speaker 3 ([16:18](#)):

Did you ever see a flooding drill being conducted underway?

Chris ([16:22](#)):

Those drills are not what passengers see.

Speaker 3 ([16:24](#)):

Gotcha. Do you have any knowledge ever of when any training did take place? I know you had a very short stint as a captain, but a very long time as a passenger.

Chris ([16:39](#)):

Well, again, in my observation... You understand, so in my observation, we talk to crew members, and they'll say, well, I just had my training, and I'd say, how'd it go? I did this, I did a man overboard, I did this, I did that. So-

Speaker 3 ([16:51](#)):

So what crew member could we talk to about that?

Chris ([16:54](#)):

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I don't know. I'm just talking about over the years we talked to crew members, and I can't say specifically when. So you talk to him. Yeah. How's it going? I just got finished with my overboard man training, or I just got finished my firefighter training.

Speaker 3 ([17:08](#)):

Can you think of one guy that might know?

Chris ([17:09](#)):

I couldn't tell you.

Speaker 3 ([17:10](#)):

One crew member.

Chris ([17:11](#)):

I couldn't tell you.

Speaker 3 ([17:12](#)):

Gotcha. Okay.

Chris ([17:13](#)):

But again, over the years you talk to him so you get to know. And again, as a passenger... My experience more comes with passenger as a captain.

Speaker 3 ([17:24](#)):

Sure. Yeah, we understand.

Chris ([17:25](#)):

And as a charter master, we won't go on boats. Reputation is everything. And I know Jerry's reputation, I know Davey's reputation. God rest his soul. I knew Ian's, I knew Zach, when Zach was captain division. I knew Donnie, when Donnie Captain division. So you know all the captains around, and you know what they demand of their crew.

Speaker 3 ([17:50](#)):

Sure. When you were on the... I appreciate that you guys seem to all know each other really well as captains. On your short time as the captain on the Truth, as far as record keeping on the bridge, what do you remember? Was there a deck log? Was there any type of-

Chris ([18:10](#)):

Yep. I remember the captain kept a log. Absolutely.

Speaker 3 ([18:12](#)):

Was that on a computer? Or on a book?

Chris ([18:13](#)):

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No. A paper.

Speaker 3 ([18:16](#)):

Was it a three ring binder? Was it a hardbound book?

Chris ([18:19](#)):

Don't remember. I remember he had a log. In fact the crew me... The first time I worked with the crew members on there, it was Tina and Scott, I believe his name was. We talk, and ask him, how are things going? I said, how's things good? We learned a lot. Again watching him set anchor, not anchor loads. You know they got trained. Just by observing what they can do, you know they were trained.

Speaker 3 ([18:50](#)):

Trained in seamanship?

Chris ([18:51](#)):

Mm-hmm. By knots. Certain things you... As a captain, you go through school, and you get the experience. You can look at somebody and who know who's trained and not trained. And that's my opinion, my observation. These guys were good.

Speaker 3 ([19:05](#)):

I hear you. Did you ever hear about captain's meetings for Truth Aquatics? Like all the captains getting together talking about issues or concerns?

Chris ([19:14](#)):

I'm sure they had them. Like I said, it was only one time. I'm sure they had them. That's just my opinion.

Speaker 3 ([19:20](#)):

I gotcha. In your opinion, Chris, I know you talked about earlier how there was not a watch schedule posted, and for you specifically they told you, yeah, you don't have a watch. We don't do that.

Chris ([19:35](#)):

The captain said that.

Speaker 3 ([19:37](#)):

The captain said that.

Chris ([19:38](#)):

Again, let me clarify this. The captain said that. I'm not saying that was the Truth policy, I'm just telling you, that's what the captain says, when he specifically said I.

Speaker 3 ([19:50](#)):

Yeah, no. I follow you a hundred percent.

Chris ([19:55](#)):

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Again, I don't know, that was between him and the Truth. I just ask him specifically, I do not have a watch.

Speaker 3 ([20:00](#)):

Yeah, not a problem. Not a problem. So let's say they were going to assign someone, or some people to be a watchman, let's say a roving watchman overnight, with the amount of crew members total, which was how many, for the Truth?

Chris ([20:23](#)):

We had me, Scott, Tina. Five.

Speaker 3 ([20:28](#)):

Five. So for those five people, is it possible to do an all night watch?

Chris ([20:34](#)):

Yes. Absolutely.

Speaker 3 ([20:36](#)):

How would that work out?

Chris ([20:37](#)):

It could be three hour watches, or it could be four hour watches. Because you're only talking about... You could do it with three people. You could do nine to midnight, midnight to 3:00, 3:00 to 6:00. Because-

Speaker 3 ([20:50](#)):

And would you have-

Chris ([20:51](#)):

Again, you got to understand something. Most of the time, especially with galley people, they're up probably two hours before anybody else is up getting the galley prep. So let's say you start, and I'm going by dive experience. And I've seen this many times, many, many times. Well, I've gotten up at four o'clock in the morning, there's a galley person. There's a person on deck. Maybe in the galley, maybe this. But a lot of galley people, if you've got, let's say, you're doing a two day, and you start your dive day at seven o'clock. Well most galley people are for five o'clock, or 4:30, getting everything prepared.

Speaker 3 ([21:28](#)):

Could you assign an overnight watch to a galley person?

Chris ([21:30](#)):

You could, absolutely. Absolutely.

Speaker 3 ([21:32](#)):

So with five people it's possible for three hour, maybe increments.

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Chris ([21:36](#)):

Yeah, absolutely.

Speaker 3 ([21:38](#)):

Would any part of that three hour increment, would you expect them to be up and about for those three hours?

Chris ([21:45](#)):

Yeah.

Speaker 3 ([21:46](#)):

Okay. In all those years, looking back, being a client, what's your take, Chris, on the turnover rate of the company? People that work there?

Chris ([21:57](#)):

They didn't have a lot of turnover. What I saw. They didn't have a lot of turnover. And that was so great about that organization is, you got to know everybody, and you got to know everybody and trust everybody how their ability is. I know Jerry was there, God, I'm guessing more than 15 years.

Speaker 3 ([22:19](#)):

Oh really?

Chris ([22:19](#)):

Oh yeah. I know Zach... Before Ian became the captain of division, Zach was there 10, 12 years. Davey was there, I'm guessing 20 years. Seconds come and go. They really do. It depends on seconds. But a lot of their seconds became first. Ian who runs a [inaudible 00:22:50] was a second, and became first. So a lot of guys go up in the ranks of that too. So they did not have a big turnover. They really didn't.

Speaker 3 ([22:59](#)):

Was Glenn or the company known for being a little bit on the cheap side for paying crew?

Chris ([23:05](#)):

No. I was very happy what he paid me. I didn't think I'd make that much, because he says, you get this plus tips. You work, you get tips. I thought, wow, it's very generous, because a lot of other boats pay a lot less.

Speaker 3 ([23:21](#)):

Oh really?

Chris ([23:21](#)):

Mm-hmm.

Speaker 3 ([23:21](#)):

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Okay. I gotcha.

Chris ([23:23](#)):

Glenn was a very good person to work with, and I'd worked with him again in a heartbeat.

Speaker 3 ([23:30](#)):

Have you talked with him since the fire?

Chris ([23:32](#)):

No, I have not. I have not.

Speaker 3 ([23:33](#)):

Have you texted with him at all?

Chris ([23:34](#)):

No, I have not. I've sent emails, our condolences, if you need help, please let me know. If I can do anything. No, I don't want to bother the gentleman, because I can't imagine what he's going through. I just can't imagine what he's going through, what Jerry's going through with.

Speaker 3 ([23:51](#)):

Have you talked with Jerry?

Chris ([23:52](#)):

No, I have not.

Speaker 3 ([23:53](#)):

Have you talked with anyone kind of on your level, so to speak, captain wise, about the nature of the incident? Kind of like, hey, this is maybe... I don't know, did this happen? Did that happen?

Chris ([24:04](#)):

There's a lot of theories out there about what happened, but I can always tell you from experience, and from my opinion, and from what we have talked about, not anybody went to Truth. I'm talking about the captain, any other boat captains, other captains in the industry. It was like, how could this happen? It's unheard of. How could this... Because you understand, in the dive community, those [inaudible 00:24:32] were the crown jewel. They were taken care of, they were trained, they were experienced. It was like, wow.

Speaker 3 ([24:44](#)):

Yeah, they had a good reputation. Yeah.

Chris ([24:45](#)):

They're phenomenal. I was on a boat last Saturday, and I was talking to Captain, and we talked about the Conception. I can't imagine what they're going through. Every captain I've ever talked to in my life

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and personal experience, you know what we all feel. Especially how responsible we have for the vessel. And to lose a vessel like that, it's like losing an arm, in my opinion, losing a leg.

Speaker 3 ([25:18](#)):

Does anyone, Chris from Truth know that you agreed to meet with us today?

Chris ([25:22](#)):

No.

Speaker 3 ([25:23](#)):

Did anyone from Truth at all for that matter, try to influence you one way or another, whether you should meet with us or not?

Chris ([25:31](#)):

No. Not at all. I've not talked to them since then.

Brian ([25:34](#)):

So in regards to that as well, I think you mentioned that... Did we interview someone... In the way beginning of the interview, you mentioned a name of someone that we possibly interviewed. Maybe I misunderstood.

Chris ([25:46](#)):

No. Not that I know of.

Brian ([25:46](#)):

Okay. Well, I'm trying to get at, have you spoken to anyone who has been previously interviewed?

Chris ([25:50](#)):

No, I haven't talked to anybody on the... Like I said, the last time I talked to... He was a crew member on the Conception, is when I came in Friday night before the accident, one of the galley person, Mike-

Brian ([26:10](#)):

Coles?

Chris ([26:10](#)):

I don't know. I don't remember his last name. They tall skinny guy.

Speaker 3 ([26:12](#)):

They call him Mikey?

Chris ([26:13](#)):

Mikey, yeah. Mikey and I. Because Mikey and I like to hunt, we're both fishermen. So he comes over to me and says, "Look what I got." Because when we were out there, the Conception was with us a couple



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of nights. We actually were at a cove and they were right next to us. You know what I'm saying? So we were kind of there. Anyway, so we were at San Miguel and the Conception was there on their trip. And so Mike says, "Look what I got." You're right next to it. I couldn't get in the water. He showed me fish and stuff.

Speaker 3 ([26:40](#)):

Oh, he dove and hunted?

Chris ([26:42](#)):

What? No, he fished.

Speaker 3 ([26:43](#)):

Oh, gotcha.

Chris ([26:44](#)):

So I couldn't get the water, because I was a captain, so I couldn't get in the water. But he said, "Look at the fish I caught at Miguel." And we're talking. And I asked him how his daughter was, because his daughter was also a galley person. And he said to me jokingly, "well, she jumped ship." I said, "What do you mean she jumped ship?" "Oh, she's working on another boat now. I don't have her on the Conception anymore." And she came by. Look, and started kidding around, and there was Kelly his daughter. And looking back on it now, I can't imagine if Kelly was in the bunk room, his daughter. And so Mikey was good people. Like I said, we always have, who could catch a bigger fish. Whether he fish or I'd spearfish, you know what I'm saying? Yeah. That's the last time I talked to Mikey.

Brian ([27:28](#)):

And anyone in general in regards to this, no one knows the interview they were doing?

Chris ([27:34](#)):

Yeah, the last time that I talked to anyone was the Friday night I got off the boat.

Speaker 3 ([27:39](#)):

Gotcha.

Brian ([27:40](#)):

So I have another question-

Speaker 3 ([27:42](#)):

You know what, if you don't mind, I'll keep trucking and then I'll pass it over to you in just a few minutes. Is that okay.

Brian ([27:49](#)):

Yeah. At which point? Okay, just setup.

Speaker 3 ([27:51](#)):

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Yeah, I did want to keep going on, just to circle back for a moment. Just to pin it down, Chris was the standard procedure to secure for the night, set the anchor alarm, and then go to bed for the crew. Was it standard?

Chris ([28:10](#)):

That's what the captain, his requirement was.

Speaker 3 ([28:13](#)):

Gotcha. And that's for your trip?

Chris ([28:15](#)):

Yeah.

Speaker 3 ([28:15](#)):

For that one trip. And prior to that, on your previous trips, you have seen crew members awake?

Chris ([28:29](#)):

I have. Yeah, I have.

Speaker 3 ([28:29](#)):

And it's hard for us to pin down, and we talked about it a little bit, but you talked about there wasn't a watch schedule that you noticed over the years, right?

Chris ([28:38](#)):

Well again, if there was a watch schedule, it's not posted. It's usually the captain-

Speaker 3 ([28:43](#)):

Like, verbal.

Chris ([28:44](#)):

Yeah. The dive boats I've worked... Not the Truth, but other dive boats I've worked on, the captain says, this is your watch, this is your watch time and gives a watch time.

Speaker 3 ([28:54](#)):

And over the years we talked about it a little earlier, you don't recall someone complaining about having a night watch, or saying anything, whether it's good or bad, about a night watch?

Chris ([29:05](#)):

I've gotten up at four o'clock in the morning, and there's been a person there, and how you doing? Doing great. Hey... Small talk.

Speaker 3 ([29:12](#)):

Okay, gotcha. Do you recall any type of smoking policies on the boat?

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Chris ([29:18](#)):

Just going by memories, I know, bow. People smoked on the bow.

Speaker 3 ([29:23](#)):

Okay.

Chris ([29:24](#)):

Yeah, that's all I can remember.

Speaker 3 ([29:26](#)):

And was there any sort of instructions on hey, smoke on the bow, or don't smoke on the stern, or put out your cigarettes here, or?

Chris ([29:35](#)):

Again, I don't smoke. I should say I don't smoke any anymore. It's been 25 years. But the only time I've noticed it, is people were smoking on the bow. So I only presume the fact that that's what they were told to smoke. I can only-

Speaker 3 ([29:47](#)):

Gotcha. Did you ever notice issues with the generators over the years? Did you ever get loss of power unexpectedly? Hear somebody complaining about the way a generator was functioning or not functioning.

Chris ([30:01](#)):

Well, you're going to have maintenance problems on boats. And of course, you're going to have that problem. That's why a lot of times you have two generators. And I'm sure there was problems on generators. That's like saying, you're never going to have car problems. You know what I'm saying? So I'm sure there was.

Speaker 3 ([30:15](#)):

Do you recall ever... I guess, how much gear could you use or have running? How much equipment could be running simultaneously?

Chris ([30:25](#)):

I don't know. It all depends on how big a generator it was, how much a compressor took, how much this took, how much that took. Knowing those boats, they probably had sufficient enough power.

Speaker 3 ([30:41](#)):

Gotcha.

Chris ([30:42](#)):

Most dive boats do. Most dive boats that I've been on have sufficient amount of generator power.

Speaker 3 ([30:48](#)):

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I see. Going back to me being your hypothetical deckhand there when I'm sleeping and you woke me up, is it safe to say that I was negligent in what I was supposed to be doing? You expect me to be up and around?

Chris ([31:03](#)):

Yeah, I do expect you to be up and around.

Speaker 3 ([31:04](#)):

Gotcha. If the captain or crew fails to comply with the COI, is that negligence as well in your view?

Chris ([31:13](#)):

I'm not an attorney. Negligence is such a broad term. How you define it, I don't know.

Speaker 3 ([31:19](#)):

Gotcha.

Chris ([31:20](#)):

But if I'm a captain and I tell a crew member, you are to do this, and they don't do it, then they're going to be corrected and trained accordingly.

Speaker 3 ([31:27](#)):

Gotcha. I appreciate that. Cool. Well, yeah, I think Brian's got-

Brian ([31:35](#)):

One last question for me. That's it. So it looks like the breadth of knowledge that you have is as a passenger, and that one trip as a captain. So as a passenger then, since you've done more trips as a passenger on the Truth Aquatic boats, this is kind of be hypothetical, but just to jog your memory, not because the questions are hypothetical. So I'm a passenger, I board... Let's start with your August 25th trip. So that's a Sunday. So I get on your boat August 25th, see the manifest, sign in the manifest, waiver forms or whatever have you, what's my next step? Do I go set up my bunk? Is that the next step?

Chris ([32:11](#)):

Okay. Then what you do is yes, you set up your bunk. You look at the bunk assignment, and usually it's posted. Then you take your personal belongings, and go to your bunk, and set up your bunk [inaudible 00:32:23].

Brian ([32:23](#)):

Okay. And then at certain point, am I going to sleep for the next day? Or... As in Sunday, August 25th. Right?

Chris ([32:31](#)):

This is Sunday night.

Brian ([32:32](#)):

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Sunday night, yes. Sunday night. So then eventually I'm going to go to sleep. And then I wake up in the morning and it's Monday the 26th. At what point am I getting briefed?

Chris ([32:45](#)):

First thing.

Brian ([32:46](#)):

First thing in the morning. Okay. So now I wake up-

Chris ([32:49](#)):

Unless... Okay, now there's an exception. Depends when, if everybody's there, let's say in the afternoon, I'm going to give you a hypothetical situation. If everybody's there, everybody's accounted for, everybody's there, and you say, okay, before we leave dock, here's a briefing. Is it possible to do it? Absolutely. Okay.

Brian ([33:12](#)):

In your case, for your-

Chris ([33:14](#)):

In my case-

Brian ([33:15](#)):

As a passenger for your experience, what has been the norm?

Chris ([33:20](#)):

My experience is... And again, we're talking about, when you do a two day trip, or a three day trip, a lot of times, let's say you leave at... Let's say you're scheduled to leave at four o'clock in the morning. What happens is, some people show up the night before, some people show up at 3:00 AM, some people show up at 2:00 AM. Everybody's there-

Brian ([33:42](#)):

The night before, you're saying.

Chris ([33:43](#)):

Night or the morning. Either show up the night before and sleep on the boat, or they come just an hour before the boat leaves. It all depends upon.

Brian ([33:51](#)):

So this is what I'm kind of trying to understand.

Chris ([33:54](#)):

I know what you're trying to say. Let me tell you how it works. So it's very, very hard to have a briefing when not everybody's there at the same time.

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Brian ([34:03](#)):

Understood.

Chris ([34:03](#)):

Okay? That's changed by the way. So usually if I have a two day trip and the boat... I said, when can I board the boat? They said, anytime after eight o'clock at night. Okay. So if I get there at nine o'clock at night. I get there, I set up my gear, I do everything, I get my bunk. I do that, [inaudible 00:34:23]. Usually a crew's on the boat. I can't remember what crew hasn't been on the boat. Every time you've ever been there, crew's been on the boat, because they're the ones who say-

Brian ([34:33](#)):

Yeah, that's fine.

Chris ([34:37](#)):

... You do this. And I've had people... Before I go to bed, I'll check the manifest against my manifest, to see who's not here.

Brian ([34:45](#)):

Understood.

Chris ([34:45](#)):

Okay. Because a lot of people, if I say, hey, the boat leaves at four, a lot of people will show up at three o'clock and load their gear on. So if that's the case, then what happens is, the next morning when everybody's up, and before... Again next morning, before anybody hits the water... In other words, before the day begins of diving.

Brian ([35:06](#)):

Yes. Okay. So this is where I want to get very nuanced.

Chris ([35:09](#)):

Before the day begins.

Brian ([35:11](#)):

So this is where I want to get nuanced, Chris. Has the boat left the dock prior to you as a passenger receiving a safety briefing?

Chris ([35:21](#)):

From the crew, yes.

Brian ([35:22](#)):

Dock? Okay.

Chris ([35:23](#)):

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Yeah, I have.

Brian ([35:24](#)):

So that's-

Chris ([35:24](#)):

Again. Again.

Brian ([35:29](#)):

I understand that once you guys get to your dive location, you're receiving a safety briefing-

Chris ([35:34](#)):

But again-

Brian ([35:35](#)):

But my question is, is there a period of time between the boat leaving the dock-

Chris ([35:40](#)):

Yes there is.

Brian ([35:40](#)):

... And you received... Where there's no safety and-

Chris ([35:43](#)):

Yes, there is. But however you understand something that. It's almost impossible to do that.

Brian ([35:49](#)):

No, I understand. I understand.

Chris ([35:51](#)):

That's why-

Brian ([35:51](#)):

I'm not defeating if it's impossible, or whether it's... I'm just asking if there is.

Chris ([35:55](#)):

That's is why they put out those safety briefing bulletins on in the galley.

Brian ([36:06](#)):

Is there someone when you get on deck that's kind of directing them, Hey, this is what-

Chris ([36:12](#)):

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Yes, there are crew members on deck, or the charter master who says, hey, you can put your gear away, before you go your bunk, you have to on the manifest and sign the release. And they also, I've said to it too, and another crew members said, here's our safety briefing too. And again, before... I've seen it where, does this manifest match this? And again, it's hard to do it. So when we get to our dive site, that's when... Before anybody hits the water, we go over it again. And they have said many, many times.

Brian ([37:00](#)):

Do you get what I'm getting-

Chris ([37:01](#)):

I know where you're getting at. I know exactly where you're getting at.

Brian ([37:03](#)):

What I'm saying is if a fire were to occur prior... Or let's say, a fire or an incident occur while passengers are asleep and they left the dock-

Chris ([37:13](#)):

Then the crew would know.

Brian ([37:15](#)):

Well, what I'm getting at is, there's a period of time where passengers specifically are not receiving a direct safety briefing-

Chris ([37:22](#)):

No, no. However-

Brian ([37:25](#)):

Or they're directed, but you know me, for instance-

Chris ([37:27](#)):

However... Notification or safety briefing can also be in writing, and that's what they put down.

Brian ([37:36](#)):

Oh yeah, of course. Of course. It's like-

Chris ([37:39](#)):

Is it indirect safety briefing? Yes it is. Because it's virtually... Especially if you allow the night before, it's firstly impossible to get everybody... I'll give you for instance, one time. I'll give you for instance, and this is what made the Truth survive. We had a situation where... This was years ago.

Brian ([38:00](#)):

Is this you as a passenger now?

Chris ([38:01](#)):



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This is me as a passenger. The Truth was down in Long Beach, and we actually had a situation where a crazy person locked himself in the bathroom. The captain woke everybody up, got everybody out of the bunk onto a secure location, safety location, and dealt with this thing. We were tied up at the dock. It was an amazing thing. So if incidents happens, and this is one of the times I knew when an incident happened, that the crew was right there, right there taking care of the situation, and make sure the passengers were safe.

Brian ([38:43](#)):

Yeah. Like I said, Chris, I'm not even-

Chris ([38:45](#)):

I'm just telling you, but I know it's a situation if your COI says this, on and on, I understand that. But the practicality is that, if I hand you... Say, hey, read this. Do you understand it? Or explain it to you. You still have been notified of a safety briefing.

Brian ([39:02](#)):

But they don't sign a form saying they understand or anything like that.

Chris ([39:05](#)):

I understand that. But again-

Brian ([39:06](#)):

No, I'm asking. I don't know.

Chris ([39:07](#)):

No, again, it's done ahead of time on a notification. It's done ahead of time before anybody starts their day. So safety is very much a concern with them. It was a big... I've never been on... I shouldn't say... In all the years I've been down in all boats I've been on, I never once felt uncomfortable about being on Truth either. The night before, at night, never. I knew the crew had the back of their passengers.

Speaker 3 ([39:39](#)):

And as far as that's concerned, is it... Customer service wise, obviously we've heard great things.

Chris ([39:44](#)):

Oh, phenomenal.

Speaker 3 ([39:46](#)):

And it's been really hard for us, Chris, to distinguish between, when we hear things like you said, top-notch, great crew, this and that, and that safety is great. Dive Safety, or I can combat a flood on boat safety?

Chris ([40:05](#)):

I would say both. They were well-trained and-

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Speaker 3 ([40:09](#)):

In what?

Chris ([40:10](#)):

In everything. Boat operations, safety concern, drills, emergencies, man overboard. They were well trained. It was-

Speaker 3 ([40:18](#)):

And you said earlier, you've never saw them run a drill?

Chris ([40:20](#)):

No. But I have not seen them. I saw them run... Well, for instance, I've seen in situations where you've got a panic diver down current. Safety diver, jump in, go after him, get them back to boat safely.

Speaker 3 ([40:33](#)):

Gotcha. So it's almost like a man overboard.

Chris ([40:36](#)):

Absolutely. It's a man overboard type of situation.

Speaker 3 ([40:40](#)):

Now that was them reacting to an actual-

Chris ([40:43](#)):

Yeah. But the thing about it, if you're not trained properly, you can't do that automatically. You can't just do it. That takes good training.

Speaker 3 ([40:51](#)):

Would you say, if you're not trained properly in firefighting, you could not combat a fire-

Chris ([40:54](#)):

I would say that. I wouldn't say that. You can combat a fire.

Speaker 3 ([41:00](#)):

Based off what?

Chris ([41:01](#)):

Well, if I have a fire in my kitchen, I can grab a fire extinguisher and just put it out. Am I a firefighter? No, but I know I combated that fire. If my house is on fire, can I do that? Not as well as trained as a fireman.

Speaker 3 ([41:18](#)):

So who's the fireman on those boats?

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Chris ([41:20](#)):

That's a good question. That's a good question.

Speaker 3 ([41:23](#)):

Is it the crew's responsibility to extinguish a fire on that boat?

Chris ([41:27](#)):

The funny part about it is, this is the first time you've had a fire on a boat. On this type of boat. So that's a \$2 question. How do you fight this type of fire? You could prepare for everything, but when reality hits, how do you do it?

Speaker 3 ([41:47](#)):

Would you say that you have to fall back on your training?

Chris ([41:51](#)):

I would say you have to fall back on... And depends on the situation. Because a lot of times, especially on a wood boat, glass over wood boat, there's no way to fight it. There's no way to fight it.

Speaker 3 ([42:02](#)):

A fire you mean?

Chris ([42:02](#)):

Yeah. There's no way to fight it.

Speaker 3 ([42:02](#)):

How do you mean?

Chris ([42:04](#)):

Well, look at it this way. And this is strictly my opinion.

Speaker 3 ([42:07](#)):

Sure.

Chris ([42:08](#)):

Okay. You got a glass over wood boat. Fiberglass burns very hot, very fast. So a fire starts, it's like pouring gasoline on brush. The more brush you got, the high... You've seen these fires around here. They don't get contained for how many days? Because they can't, they keep burning. Well, the problem is, a fire on boat, especially if you've got a wood boat, or a fiberglass boat, it's going to spread. It's going to spread hot, rapidly, and fast.

Speaker 3 ([42:34](#)):

Is it easier to fight that fire at the beginning of it then?

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Chris ([42:38](#)):

It depends. It depends on... It depends, because it could spread so fast, you can't. You cannot. In my opinion, no. I don't think so. Because it's just so rapidly fueled, how are you going to fight it? How are you going to fight without getting yourself rapidly burnt? Or maybe, God forbid something happened to you. How are you going to do it?

Speaker 3 ([43:05](#)):

Gotcha.

Chris ([43:08](#)):

Fiberglass, if you've thought about anything... If you ever worked with fiberglass, fiberglass is basically polyurethane and glass and hardener, it burns real hot, real fast.

Speaker 3 ([43:20](#)):

Is it more important than to be more vigilant? Because it's that type of boat?

Chris ([43:25](#)):

They were vigilant. Yeah. But can you prevent every single accident from happening? No. You can't. You can only prepare for it. And these guys... Nobody's prepared for a fire. I don't care how good... Except firemen, of course.

Speaker 3 ([43:39](#)):

Why are firemen prepared for it?

Chris ([43:44](#)):

Because they go into burning buildings. They fight fires, simulate... They're trained to go into a burning building. If you've ever seen firemen train, they light a building on fire, they go in. Boats, crew members are trained for safety of passengers, for weather, for... Yeah. Part of their training is fire... Part of it is firefighting, but it's not like a fireman. It's not like this. You do train for that, but it's part of the training, where you have firemen that are specifically for fires. Both people are... You got to make sure you got secure, if you hit bad weather. Are things secure? It's like diving. Like the kayak's secure. Are the passengers going to get seasick? There's a lot of things that go on on a boat, because the ocean is so unpredictable. You can't predict everything that's going to happen. Nobody knew that this was going to happen. I can't think of once we ever had a fire on the dive boat. Not once.

Speaker 3 ([44:51](#)):

And speaking of that kind of over the years, I could have sworn, I heard you say earlier, you even dove with them before the 80s, before Conception was launched, or-

Chris ([45:01](#)):

No, no, when Conception was launched.

Speaker 3 ([45:02](#)):

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So when Conception was launched, was when you first started becoming a client, crew... Sorry, not crew, but you would charter... You'd go on your own or take charters?

Chris ([45:12](#)):

Yeah.

Speaker 3 ([45:12](#)):

Okay, cool. Talking about that COI again, is any part of that up to the captain's discretion? Or is the COI mandatory?

Chris ([45:22](#)):

I know it's posted, and you should follow COI. Again-

Speaker 3 ([45:25](#)):

Is it a should or a shall?

Chris ([45:27](#)):

You asked me a question, I mean...

Brian ([45:31](#)):

Well, you were a second captain, right? And you've got your 200 masters' time-

Chris ([45:34](#)):

Right. I'd follow COI. Absolutely.

Speaker 3 ([45:37](#)):

Because you wanted to? Or because you're supposed to?

Chris ([45:39](#)):

Supposed to. That's what it says.

Speaker 3 ([45:40](#)):

Gotcha. Cool sir.

Chris ([45:41](#)):

That's me. Does every captain do that? I can't speak for any of the captain.

Brian ([45:44](#)):

No, of course. You can only speak for yourself.

Chris ([45:46](#)):

I can only speak for myself. I see a COI, it says this, absolutely.

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Brian ([45:49](#)):

Of course.

Speaker 3 ([45:50](#)):

Yeah, we can appreciate that. Well, sir, I think we've hit a lot of topics here. Do you have anything for us, before we close? Any questions, concerns?

Chris ([46:00](#)):

No. Like I said, this was a tragedy. Very much a tragedy. In my opinion, I can't see where these guys did anything wrong. I think it was out of their control.

Brian ([46:12](#)):

Well, that's part of what this investigation is, Chris. We're trying to figure out the why, the how, and we want to see how we can prevent something like this again.

Chris ([46:20](#)):

The thing about it is that, first of all, we don't know how it started. That's the biggest key. There's a lot of theories out there, how it started.

Speaker 3 ([46:31](#)):

How do you think it started?

Chris ([46:35](#)):

It was electrical someplace. Electrical in a gallery someplace. And my opinion is that probably a table... That whole galley was glass over wood, galley. So it was fuel. My opinion is the O2 bottles went first.

Speaker 3 ([46:55](#)):

How do you mean?

Chris ([46:56](#)):

Well, as you know, every boat's got to carry enough O2, according to regulations that as far as their farthest point. In other words, let's say you're 75 miles from your nearest port and you have a diving accident. Well, you have to have enough O2 on board to get back to port safely for a diver. So dive boats are to carry O2. And they're supposed to... They store it above deck. That's a requirement. So I didn't know where it was stored on the Conception. I have no idea. Okay.

Speaker 3 ([47:30](#)):

Do you know where it was stored on Truth?

Chris ([47:32](#)):

Captain's wheelhouse was stored.

Speaker 3 ([47:34](#)):

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Okay.

Chris ([47:37](#)):

So hypothetically if it was stored in the galley, the minute galley caught fire, if you understand how gas works and tanks work, O2 usually has a pressure about 2000 pounds, 2100 pounds. Well, they have a burst disc. And what happens with burst disc is that, if a tank starts to heat up and air, they'll blow. So my theory is maybe the galley got too hot and the O2, the burst disc went and that was it. That's just my theory. Is my opinion.

Speaker 3 ([48:10](#)):

How common, Chris, was it to see Daisy chaining power strips to charge everybody's stuff on the boats?

Chris ([48:17](#)):

It wasn't that uncommon. There was a limit. Not a lot of... There wasn't a lot of strips on that.

Speaker 3 ([48:27](#)):

So since there wasn't a lot of actual outlets to plug into-

Chris ([48:31](#)):

There's a few.

Speaker 3 ([48:32](#)):

... People would bring extra power strips and charge their lights.

Chris ([48:34](#)):

No. I'm saying that people wouldn't bring them, there was enough power on the boat. I'm sure they had enough... The generators enough. But again, it wasn't... Where it started, I don't know. But it started in a galley someplace. There's been a theory about, lithium batteries.

Brian ([48:52](#)):

Why are you so sure that it started in the galley some place?

Chris ([48:54](#)):

Because you look at the pictures, the gallery's fully inflamed. When you look at the pictures, look at the picture where the fire went like this out of the galley. Well the only way it could do that is, the way the galley was set up, had tables like this, and vinyl seats. If it started anyplace else, [inaudible 00:49:18] would've been out in a heartbeat. It didn't start in the bunk room, because really, unless somebody was smoking in bed, which I doubt, you notice that because... So it had to start in the galley. Now, where in the galley? I don't know. But it had to start in the galley.

Speaker 3 ([49:34](#)):

You know what I mean when I say power strip, right? Like extra plugs.

Chris ([49:37](#)):

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I know.

Speaker 3 ([49:37](#)):

Did you see those on the boats?

Chris ([49:37](#)):

No.

Speaker 3 ([49:37](#)):

Did you ever see them on the boats?

Chris ([49:44](#)):

I don't recall. I just plugged into whatever they had on the boat.

Speaker 3 ([49:46](#)):

In the salon, did you notice up against where the seats kind of met the bulkhead or right up-

Chris ([49:52](#)):

Yeah, there were some strips. There were some couple of strips in there, but nothing.

Speaker 3 ([49:55](#)):

Now when you say strips, you mean power strips as in the-

Chris ([49:57](#)):

Yeah, they had some-

Speaker 3 ([49:59](#)):

Multi plug?

Chris ([50:00](#)):

No. Not multi plug, it was... I'm trying to think.

Speaker 3 ([50:04](#)):

So remember, I don't mean like a two plug outlet.

Chris ([50:06](#)):

I know. You're talking about a strip.

Speaker 3 ([50:07](#)):

Like somebody from home brought it, or had it.

Chris ([50:11](#)):

Yeah. No, I never saw a power strips. I never saw a power.



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Speaker 3 ([50:14](#)):

Okay.

Chris ([50:16](#)):

But again, that's a theory of mine. And again, this has never happened. So how do you prevent this from happening again? I don't know. It's like, I really don't know. Hopefully God, it will never happen again.

Speaker 3 ([50:36](#)):

That's true.

Chris ([50:37](#)):

Hope to God it never happens again. And it was just a tragic... In my opinion, I think the crew did everything they could do. Everything it could do to save that boat and those passengers. I think it was just one of those things, the fire spread real rapidly, real quick, real hot. And there's nothing you can do. You do your best, and that's what they did.

Speaker 3 ([51:08](#)):

Well, we appreciate definitely your time, Chris, and your thoughts on all this. I do want to mention that you did choose to record also our interview on your... Is that your personal cell phone?

Chris ([51:22](#)):

Yeah. Yeah.

Speaker 3 ([51:22](#)):

And what kind of phone is that?

Chris ([51:24](#)):

This is an Apple-

Brian ([51:26](#)):

An iPhone.

Chris ([51:26](#)):

iPhone.

Speaker 3 ([51:27](#)):

An iPhone. Okay. Great. And is that the number that we were-

Chris ([51:32](#)):

Actually, this is Deborah's iPhone, not mine. And her number is 818 618 2972.

Speaker 3 ([51:42](#)):

And can you help me understand Deborah, her role or relationship to you?

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Chris ([51:48](#)):

She's a partner in this business. She's also an instructor.

Speaker 3 ([51:52](#)):

So on paper, legally she's a partner-

Chris ([51:54](#)):

Yes.

Speaker 3 ([51:54](#)):

... In the business. Okay. And that's Aloha Diving?

Chris ([51:56](#)):

Aloha Diving.

Speaker 3 ([51:59](#)):

All right. So can you just ask her to come back for a moment real quick?

Chris ([52:04](#)):

Sure. Deb.

Brian ([52:13](#)):

We're still recording here?

Speaker 3 ([52:15](#)):

Yeah.

Deborah ([52:30](#)):

Hi.

Speaker 3 ([52:30](#)):

Hey Ms. Deborah. So I just wanted to let you know that for the purposes of our recording, we just wanted it to make known that you guys elected to record on your phone. Is that right?

Deborah ([52:42](#)):

That's correct.

Speaker 3 ([52:43](#)):

Your iPhone over there? So really all I need to tell you about that is, for the purposes of my recording, I'm basically blogging and stating that Deborah Jean Disney, birthdate 12/16/49, is that right? That you elected to record on your cellular phone, which appears to be an Apple iPhone. Do you know what edition that is, or...

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Deborah ([53:09](#)):

I think it's an S6, but I don't know. Had it forever.

Speaker 3 ([53:13](#)):

Yeah, no problem.

Deborah ([53:14](#)):

It's old.

Speaker 3 ([53:14](#)):

Great. So for our recording, so these aren't like a personal recording. So these basically get logged into evidence for us, and they get treated as such. Evidence in general is not shared obviously. So I'm not going to go and take this recording-

Chris ([53:36](#)):

Or are we.

Deborah ([53:37](#)):

Nor were we. That is for us, if anything you said so and so, I can listen to it and say no, I did not. This is what we said. That's all. It's for Chris and I only.

Speaker 3 ([53:51](#)):

Gotcha. So you made one comment earlier when we were out there and one sort of contribution as far as the interview was concerned, but just for the purpose of the recording, the interview was for Mr. Russello and not for you.

Deborah ([54:08](#)):

That's correct.

Speaker 3 ([54:09](#)):

Okay. But we do appreciate your comment earlier that you offered that information. So we'll leave that to you. That's you guys to do with that. And we just want you to know that as far as this conversation is concerned, that is the only other recording that exists outside of what the government's property is right now.

Chris ([54:31](#)):

Exactly.

Deborah ([54:31](#)):

[inaudible 00:54:34].

Speaker 3 ([54:33](#)):

So that's really it. You have our cards, sir.

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Chris ([54:35](#)):

I do.

Speaker 3 ([54:36](#)):

Anything to add Brian?

Brian ([54:39](#)):

No, that's everything.

Speaker 3 ([54:39](#)):

Great. If you guys have any questions, any follow up, oftentimes we get a phone call a day or two later, and somebody's like, oh, you know what? I kind of thought we were going to talk about this, or I come to remember this, or anything you think that might be helpful to us getting to the facts about this. Anything else for us, sir?

Chris ([54:58](#)):

I just hope to God it doesn't happen again. As we all would. It's-

Deborah ([55:06](#)):

Very tragic.

Chris ([55:07](#)):

Very tragic.

Deborah ([55:09](#)):

It has rocked us to the core, knowing.

Speaker 3 ([55:13](#)):

Gotcha. The other thing I forgot to mention in regards to the recording and what we talked about in general is that, what we don't want ultimately is for our conversation today, whether it's repeated verbally, or via the device to anyone else. What we don't want is for that to impede, interrupt or affect the investigation.

Chris ([55:38](#)):

No, you guys have a job, dude. I understand completely your job, which you have to do.

Speaker 3 ([55:42](#)):

So it's up to you. You speak to whoever you want to speak to, but we certainly want to let you know that we don't want what we discussed today to affect someone's story later, or to... And it's all about just getting-

Deborah ([55:55](#)):

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I don't think I can speak... I think I can speak for Chris, but I'm going to say what was said here. There's no further. There are four people here and that's-

Chris ([56:09](#)):

Myself, I'm speaking for myself. The dive community is a very, very close community and we want to know what happened. We want to know how can we ever... I've been here a long time, I've been diving a long time, and this was just... If somebody would've told me this 20 years ago, I went, yeah right. What have you been drinking? It can't happen. Well, yeah, it can happen. So I like to see you guys see what happened. And how could it be prevented. I don't-

Speaker 3 ([56:42](#)):

Speaking of drinking, did you ever notice anyone other than passengers drinking on board? The crew?

Chris ([56:46](#)):

No.

Deborah ([56:46](#)):

Never.

Chris ([56:47](#)):

Zero, zero tolerance.

Speaker 3 ([56:49](#)):

There was alcohol on board, though? The passengers brought alcohol usually [inaudible 00:56:54].

Chris ([56:54](#)):

I know when I was a charter master, people brought their own... At dinner, they brought wine they brought... But it was a zero tolerance. That's one thing he would absolutely-

Speaker 3 ([57:03](#)):

So I understand it was zero tolerance, but did you ever see anyone actually doing it? The crew?

Chris ([57:07](#)):

No, absolutely not.

Deborah ([57:08](#)):

Never.

Speaker 3 ([57:09](#)):

Did you ever see any crew participating or using... Smoking marijuana?

Chris ([57:15](#)):

Never.

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Speaker 3 ([57:15](#)):

Ingesting.

Chris ([57:15](#)):

Never.

Speaker 3 ([57:18](#)):

Any other type? Did you suspect-

Chris ([57:20](#)):

Never.

Speaker 3 ([57:20](#)):

... Any type of drug use?

Chris ([57:24](#)):

Speaking of that, that was in the briefing. They're saying, we are a federally chartered boat, we do not allow any type of marijuana on this boat, period. We don't care what the state of California says. It was very, very specific. When that was vehicle-

Deborah ([57:42](#)):

We're a Federal vehicle-

Chris ([57:42](#)):

We are a Federal vessel, period. Yeah, there was absolutely... That was even-

Deborah ([57:47](#)):

Yes, I love you.

Chris ([57:49](#)):

Absolutely not. Absolutely.

Speaker 3 ([57:51](#)):

Gotcha. Well thank you sir. I appreciate that. And I'm going to go ahead and stop our recording device here. We got the time is 1:43, November 5th. Securing the interview.

# EXHIBIT K



# Coast Guard Investigative Service



## Action Supplement Report

Supplement # AR1909001724-0136

Approval Status: APPROVED

### Action Supplement Details

Date/Time: 12/19/2019 10:00

Type: INVESTIGATIVE ACTION REPORT

Agent: WRAY, JAIME E

Approving Official: HOYLE, KELLY

### Narrative Information

Title: INTERVIEW - (PK) ROBERT HORNE

Entered On: 01/21/2020 21:16

Reporting Agent: WRAY, JAIME E

Participating Agent:

#### Narrative

On 12/19/2019, AUSA Diana Kwok and I interviewed (PK) Robert M. Horne in regards to his employment and experience at Truth Aquatics Inc. (PK) Horne was advised that the interview was voluntary and if there was a topic or question he did not want to discuss, that he did not have to do so. The below is an interview summary. It is not intended to be a verbatim account and does not memorialize all statements made during the interview. Also present was attorney Earl Pott. Upon completion of the interview, I conducted a review of my interview notes with (PK) Horne to his satisfaction. The importance of his honesty was explained to (PK) Horne was explained to him in the form of an admonishment.

Jessica Friedland is (PK) Horne's ex-wife and also a former employee (first galley) of Truth Aquatics. She began working at Truth Aquatics in 2006 and at one point worked as the second galley, on all three Truth Aquatics vessels. She also worked as a captain for Truth Aquatics from 2015-2016.

(PK) Horne worked for Truth Aquatics from 2014-2017. He also worked in Santa Barbara as a commercial fisherman for John Colgate on the vessel MALEAHA. (PK) Horne possesses a 100 ton captain's license.

(PK) Horne started working for Truth Aquatics as a deck hand, he was offered the job from (S) Jerry Boylan. He worked as second captain for (S) Boylan in 2015. Prior to being hired, he conducted the mandated drug testing for the position. (PK) Horne found out about Truth Aquatics through his ex-wife Jessica Friedland. She first learned about Truth Aquatics through Craigslist.

Baron Kelly was a previous captain on the CONCEPTION. He currently works for Metson Marine in Alaska.

(S) Boylan talked to (S) Glen Fritzler about hiring (PK) Horne. (PK) Horne stated his ex-wife Jessica Friedland confirmed that (S) Boylan talked to (S) Fritzler regarding the hiring. (PK) Horne understood (S) Fritzler was in charge.

At first (PK) Horne was paid \$90 USD a day, later he was paid about \$100-110 per day. The maximum amount he made was \$135 per day. He worked a total of three full seasons at Truth Aquatics.

Baron Kelly trained (PK) Horne on life jackets, flooding procedures, bilge pumps and how to test the fire pump from the engine room and the main deck.

(S) Boylan had verbal discussions about training topics with (PK) Horne. Conversely, Baron Kelly's training was "hands on." (PK) Horne stated "there is no 'sit down' crew training," and that there was mostly "informal" training with (S) Boylan.

(PK) Horne stated that the fire pump was tested at night. It consisted of turning it on and running it for several minutes as it discharged water overboard.

Prior to the season, the crew would conduct practice drills. (PK) Horne recalled "a few times" (S) Fritzler had a crew member specifically trained on first aid and CPR.

He described a high turnover rate of crew was the reason there was lots of informal training.

(PK) Horne described working 20 hours a day with no time off.



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(S) Boylan would fire people as a result of them violating safety rules. Dave Huebner was fired for ignoring safety during a small boat evolution in early 2015. Huebner ignored (PK) Horne's command to return to the main vessel with the small boat and as a result, the small boat capsized.

(PK) Horne stated the most crew members he ever witnessed diving at the same time was two. He said everyone from galley mates to captains would dive, however two deck hands would never dive simultaneously.

Regarding how often the vessel dumped sewage within three miles from shore, (PK) Horne said it happened "too often." (S) Boylan ordered when the sewage would be pumped and closely monitored it.

It was common for deckhands to pilot the vessel overnight. (S) Boylan would give orders on how to proceed piloting overnight, and would then go to sleep for the night.

According to (PK) Horne, second captains were "glorified deck hands."

Over the course of his time at Truth Aquatics, (PK) Horne recalled a couple of passengers were caught smoking marijuana a couple of times.

(PK) Horne stated that recovering a diver in distress is not the same as a drill.

A "crash kit" is kept on the bridge in case of an emergency. The kit contains oxygen and an AED.

Gasoline is kept on the skiff (small boat) and one or two containers are kept on the port quarter (aft) of the main vessel.

Regarding smoking onboard, passengers would sometimes put their butts in the trash can.

A first aid kit was kept under the coffee machine.

(PK) Horne made five or six total trips with (S) Fritzler, about three of them were on CONCEPTION. He recalled making a multi-day (5-7) trip with (S) Boylan and (S) Fritzler. The trip had personnel from National Geographic onboard for gathering data on cave diving. This trip was made in conjunction with the research vessel NAUTILUS.

In June of 2019, (S) Fritzler was seeking a new captain to train to replace Dave Woodland.

(S) Fritzler came aboard as a passenger a few times.

(PK) Horne recalled that (S) Fritzler gave a solid safety briefing on the P.A. system. There would always be a head count of passengers first thing in the morning. The safety brief would be given in the galley. (PK) Horne recalled that a couple of times the manifest was wrong, but did not find out until the morning during the head count.

(PK) Horne stated the fire hoses would be energized and discharged overboard six times a season.

Not directed by anyone and of her own volition, Kelly Kohls would put on a life jacket to show passengers how to do so.

Approximately seven years ago, Dave Woodland accidentally set off the Co2 system on the VISION. According to (PK) Horne, no one was injured in the event.

(PK) Horne recalls that one or two times during his entire tenure, the crew conducted a full fire drill. This consisted of the fire hoses being energized and handled by crew members.

(PK) Horne expects a galley crew member who has been there over ten years, to know how to turn on the fire pump.

(PK) Horne stated that passengers were not shown the location of the fire extinguishers.

(PK) Horne declared that (S) Fritzler was "very passionate" about his passengers.

He said he gets about four hours total of sleep at night. He mentioned (S) Boylan would get more sleep than others. Also, galley crew would usually awake at 4:00 AM.

(PK) Horne stated that across all Truth Aquatics vessels, and all captains he has worked with including (S) Fritzler, he was never instructed to be awake at night for a watch.

Supplement # AR1909001724-0136

Approval Status: APPROVED

(S) Fritzler was "cheap" when it came to paying crew.

According to (PK) Horne, lots of crew members had concern about not having a night watch. He never brought this concern up to (S) Boylan or (S) Fritzler, nor does he have knowledge of anyone else doing so.

On one occasion, (PK) Horne witnessed electrical arcing and sparking from the on/off switch to a compressor. He said this was a result of water intrusion. He commented that use of the Nitrox system would blow breakers constantly. (PK) Horne described that the A/C system and the cooking flat top could not run simultaneously with the compressors.

On a separate occasion, the swim step lights "almost" caught fire. It was a halogen lamp that would often get bumped and in this instance it was making contact with a diving fin.

He described how passengers would bring multiple power strips. He had witnessed daisy chaining, to include up to five power strips interconnected from one outlet located in the passenger compartment forward and centerline. He often saw "full tables" of items being charged.

(PK) Horne described (S) Fritzler as a "hands on" owner who would give his expectations to vessel captains. He said that (S) Fritzler would meet with captains informally. Also, (S) Fritzler would spend all his time maintaining the vessels.

(PK) Horne left Truth Aquatics in October of 2017. He added that (S) Fritzler keeps in frequent contact with him.

(PK) Horne stated that a fire is easier to combat in its initial stages.

He recalled an occasion that a couple of deck hands showed up intoxicated to work and (S) Boylan let them sleep it off. He believes that one of their names was Kyle.

Marine grade equipment items were not always purchased, items were often purchased from Home Depot or a hardware store. (PK) Horne recalled one item that was not marine grade was an on/off switch on the bow. He mentioned it would often cause electrical problems because it would get wet and not stand up to the marine environment.

(PK) Horne stated that the axe on the bridge was for fire fighting purposes.

He mentioned that there is no propane stored onboard.

(PK) Horne stated that a Certificate of Inspection (COI) is not optional in regards to following or adhering to its requirements.

(PK) Horne stated that if a captain failed to abide by the COI, they were negligent in their duties.

Interview concluded.

#### Associated Names

##### Action/Name Information

Juvenile At Time: ☐

Involvement: PERSON WITH KNOWLEDGE

Linked Name: HORNE, ROBERT M, INDIVIDUAL

# **EXHIBIT L**



## FEDERAL BUREAU OF INVESTIGATION

Date of entry 10/10/2019

DON LEE ROWELL (ROWELL), date of birth [Redacted], home address [Redacted] CA [Redacted] California, Driver's License Number [Redacted] telephone number [Redacted] was interviewed on September 30, 2019 at approximately 5:00 PM on his boat, GENTLEMAN, which was located in the boat harbor for CHANNEL ISLANDS SPORTFISHING, 4151 S Victoria Ave, Oxnard, CA 93035. After being advised of the identity of the interviewing Agents, Federal Bureau of Investigation (FBI) Special Agent (SA) BRIAN DE JESUS (DE JESUS), Coast Guard Investigative Service (CGIS) SA JAIME E. WRAY, and CGIS SA BRIAN HEANY, and the nature of the interview, ROWELL provided the following information:

ROWELL was a captain on the boats owned by TRUTH AQUATICS, INC. (TRUTH A.), and runs their boats "from time to time". The conversation with TRUTH A. would involve ROWELL receiving a phone call and TRUTH A. asking him, "Hey, can you run the boat this day?". ROWELL believed he filled in for two days on the VISION within the last 12 months in 2018 in either November or December. ROWELL would fill in for maybe four to five trips a year. Some years, ROWELL would not be called to fill in at all. ROWELL could choose whether he wanted to work the shift once they called him. ROWELL considered himself a "fill in" guy and owned the boat GENTLEMAN, boat #253206, which he worked on. The name of the company he owned was DLR SPORTFISHING, INC. ROWELL said he worked on the GENTLEMAN ever since 2008. ROWELL was a full time employee with TRUTH A. between the years of 2001 to 2008. ROWELL said that while working for TRUTH A., he received W-2 tax forms which he filed with his taxes. Anytime he filled in he would receive a W-2 tax form. ROWELL again said that he was not a full time employee with TRUTH A. After verifying that ROWELL was in fact not an employee with full or part time status, all Agents present continued with the interview.

ROWELL was a second captain for the first three months working with TRUTH A. on the boat TRUTH. This served as a probationary period for ROWELL. After three months, ROWELL became a captain and worked on the TRUTH mainly and as relief for the VISION and the CONCEPTION. When ROWELL took over as captain on the CONCEPTION, he would let the regular crew run the ship with their usual procedures as they were most familiar with the boat. The usual captain for the CONCEPTION was JERRY BOYLAN (BOYLAN) and JAMES HRABAK (HRABAK) ran the VISION. HRABAK still ran boats for TRUTH A.

Training for TRUTH A. employees consisted of mandatory First Aid, AED,

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Investigation on 09/30/2019 at Ventura, California, United States (In Person)File # [Redacted] Date drafted 10/01/2019by DE JESUS BRIAN

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Continuation of FD-302 of (U) Interview of Don Lee Rowell , On 09/30/2019 , Page 2 of 5

CPR, and O2 Administration which was done yearly. GLEN FRITZLER (FRITZLER) required this training. FRITZLER was the company owner of TRUTH A. and called the shots for the company. The training was conducted by an outside service which would come in to provide this training to employees. There was no formal training other than this training. Seasonal employees might have not received this training depending on when they started worked for TRUTH A.

Man overboard training was informal. ROWELL clarified that when a diver became exhausted in the water and had to be rescued they would have a man overboard drill. The training was as it was happening and a discussion would happen after they returned. They would talk about what would be done if a man was overboard but the training was informal and not a requirement by TRUTH A. ROWELL did not document these drills but was unsure if others at TRUTH A. did. ROWELL was bad at documenting.

ROWELL said fire safety training was informal. ROWELL would ask his crew, "What do you do in case of a fire?" and then there would be a discussion on it but no formal training was provided by TRUTH A. There was no firehouse training. ROWELL said the fire pumps on the CONCEPTION were set up the same way as on the VISION however he could not remember exactly where they were. Electric grills were onboard the boats from what ROWELL remembered.

Each operator of their respective boats ran their own training and no training was directed by FRITZLER. There were informal meetings in the galley and FRITZLER would be at the forefront on galley fire training but firefighting in general was not discussed. ROWELL could not remember what FRITZLER discussed involving the fire safety. No one was hired to train on fire safety like what was done for training on First Aid, AED, CPR, and O2 Administration training.

Harbor landing meetings where some safety was discussed would occur with full time employees between January and February. Between May and November, the boats were out and there would be seasonal employees working for TRUTH A. Seasonal workers might have not received this information depending on when the meetings took place.

On overnight trips, the night before, briefing cards would be placed on a table along with waiver forms to be signed by passengers as they made their way on the boats and settled in. These cards were laminated and provided by TRUTH A. and went over boat safety and dive safety. ROWELL did not recall what the cards said. The cards began with dive safety and then went to boat safety. Boats left at 4:00 AM the next morning, and a full briefing would be discussed in the morning after breakfast, after the boat had already left. Crew would then read over the safety cards. There was no formal briefing between the period of time when a passenger arrived on the boat and after breakfast the next day when the boat had already left. ROWELL



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Continuation of FD-302 of (U) Interview of Don Lee Rowell , On 09/30/2019 , Page 3 of 5

believed that there were signs posted showing passengers where the safety cards were to be read when they first got on the boat. Formal fire safety was not included on the safety cards which the crew briefed passengers.

When ROWELL started his work with TRUTH A., he served as second captain under captain CHRIS CALLAHAN (CALLAHAN). ROWELL was nervous about there not being a night watch implemented under CALLAHAN. CALLAHAN said that the crew's sleep was important. ROWELL said that when he worked on fishing boats, they always had a watch present. When asked why roving watches were required on boats, ROWELL said roving watches are required for safety. When weather was bad, a crew member would be downstairs with passengers, making sure they did not fall over and everything was good, as the captain steered the boat. When ROWELL became a captain, during good weather, ROWELL's night watch involved waking up and walking around. ROWELL did a "half-ass" night watch. Rowell woke up every few hours to take a "leak". There was not an official watch as required by the Certificate of Inspection nor did TRUTH A. require it. ROWELL did not get training from TRUTH A. on how to conduct a watch. ROWELL said that if a captain failed to do what was required on the Certificate of Inspection he would call this negligence.

The alcohol and drug policy for TRUTH A. was strict and no crew members were allowed to drink alcohol or consume drugs while on duty. One galley girl named LAURIANNE, [spelled phonetically by SA DE JESUS], was fired in 2007 because she had an alcoholic drink in her hand on a trip. Smoking was rare on the boats although there was smoking occasionally. There was not a designated smoking area on the boats. There were signs for no smoking by the gas cans. There really was not a big issue with smoking. ROWELL had a problem with a passenger smoking marijuana on his ship in the past. ROWELL smelled the marijuana during the trip and ignored it thinking that after that day it would stop. ROWELL said that he knew that he should have probably confronted the issue on that day. The next day, when he smelled it again, ROWELL went on the public address system and announced that smoking marijuana on the boat was not allowed. ROWELL was confronted by the passenger who was smoking marijuana. The passenger began to argue that he was allowed to smoke marijuana as it was legal in the State of California. The passenger stated he had a medicinal purpose to smoking it. ROWELL asked if his other friends had a medicinal reason to be smoking marijuana as well. ROWELL phoned the Coast Guard who spoke directly to the passenger. The passenger and his friends stopped the marijuana usage for the duration of the trip. In 2001, a deck hand named STEVE failed a drug test and was fired.

It was common practice that ship crew could take a dive with passengers if they wanted during dive trips. These included the galley cooks, second captains, and any other crew members, as long as there was a captain manning the boat and maybe another deckhand. Crew members did not get paid much and the perk of diving off the ships gave some incentive for the job.

ROWELL said the boats were well maintained. ROWELL was present during

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Continuation of FD-302 of (U) Interview of Don Lee Rowell, On 09/30/2019, Page 4 of 5

one incident on the TRUTH inside the engine room. ROWELL heard the generator make a noise and went to the engine room to see what it was wearing a dive mask and air tank. There was no alarm sounding for a generator. Smoke was coming from a faulty alternator which ROWELL used a fire extinguisher to put out. He did not see a fire. ROWELL needed to leave for a trip on his boat in which passengers were already onboard. ROWELL drove his boat to the CONCEPTION which was parked in the boat yard "dry and high". ROWELL drove to the CONCEPTION and took the alternator as the replacement for this boat using a wrench. The passengers were not aware of the faulty alternator. ROWELL left a note for JERRY BOYLAN (BOYLAN) on the ship saying he borrowed the alternator from the CONCEPTION and might have sent BOYLAN a text about it. ROWELL believed someone in the front office was alerted about the taking of the alternator from the CONCEPTION and the faulty one on the TRUTH but was unsure who would have been notified about it. ROWELL had a 100 ton master's license.

ROWELL described BOYLAN as a great guy because he dropped what he was doing to help you. ROWELL did multiple one day trips with BOYLAN while serving as a second captain. The deckhands would conduct the safety briefings on these. BOYLAN was strict on the crew and specifically to the deckhands. One day the skiff came off the back of the boat and BOYLAN overreacted. Once the skiff was back on the boat he directed the deckhands to wrap the skiff with an excessive amount of rope so it could stay in place.

FRITZLER hosted and participated in three day Thanksgiving day boat trips to Santa Rosa aboard the TRUTH. There was no night watch during these trips. Family friends and some crew members were on these trips and food and beverages were brought on to the boat. ROWELL captained the boat and BOB MCCLURG (MCCLURG), [spelled phonetically by ROWELL], was often second captain on these trips. There was a lot of kayaking, fishing, and diving on these trips. There usually were twenty or more people present. Both ROWELL and MCCLURG received payment for their assistance on these trips.

When ROWELL heard about the fire on the CONCEPTION, ROWELL instantly thought it was probably caused by a rechargeable battery in the galley. ROWELL said that a lot of the passengers brought expensive diving cameras and equipment on the boats which they would sometimes cover up with dry towels to keep dry. A battery plugged in could easily spark a fire and catch on to the towels.

ROWELL was on his boat the GENTLEMAN at the CHANNEL ISLANDS SPORTFISHING HARBOR in Oxnard, CA when he found out about the CONCEPTION fire. ROWELL had not been in contact with any of the staff at TRUTH AQUATICS, INC. ROWELL did speak with TOM CAPPINELLI (CAPPINELLI) who ran trips on the VISION and other boats owned by TRUTH A. previously. CAPPINELLI was in NEW YORK watching the incident on the television at the airport when ROWELL called him. They both expressed their disbelief of what was

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Continuation of FD-302 of (U) Interview of Don Lee Rowell , On 09/30/2019 , Page 5 of 5

occurring. ROWELL suggested speaking with CAPINELLI for more information on TRUTH A. ROWELL provided CAPPINELLI's phone number as **Redacted** MCCLURG's phone number was given as **Redacted**

ROWELL said that BURT was the name of a technician that did the wiring on the TRUTH AQUATICS, INC. boats but ROWELL did not have his number.

On October 09, 2019 at approximately 9:49 AM, SA DE JESUS spoke telephonically with ROWELL to clarify some of the answers provided on the interview conducted on October 4, 2019. All notes associated with contact with ROWELL are attached as 1As to this report.



# EXHIBIT M



## National Transportation Safety Board

Washington, D.C. 20594

Office of Marine Safety

### Interview Summary

**Accident:** Fire aboard Dive Vessel *Conception* (NTSB No. DCA19MM047)

**Date:** September 2, 2019, at 0314 PDT

**Location:** Platts Harbor, Pacific Ocean near Santa Cruz Island, California, 34°02.99' N, 119°44.10' W

**Person Interviewed:** Captain J. Hrabak, former captain and occasional relief captain on dive boat *Vision*

**Interview Conducted By:** Mr. A. Ehlers, NTSB  
Mr. B. Barnum, NTSB  
Mr. M. Muise, NTSB

**Summary Provided By:** Mr. A. Ehlers, NTSB

### OVERVIEW

Captain Hrabak was interviewed via telephone on March 30, 2020, in conjunction with the investigation into the September 2, 2019, accident involving the dive boat *Conception*, which caught fire and eventually sank while it was anchored in Platts Harbor off Santa Cruz Island, California. Unless specifically delineated by quotes, the text that follows is not a verbatim record of the conversation. It has been developed from notes of the interview.

### INTERVIEW SUMMARY

Captain Hrabak provided an overview of his experience. He worked most of his adult life operating boats, earning his 100-ton master credential when he was 25–26 years old. His credential is still current. In the 1980s, he worked as a deckhand and second captain on the dive boat *Peace* as well as shore launches in the Port of Los Angeles/Long Beach. In the 1990s he worked for Tidewater on offshore supply vessels before he was hired by Truth Aquatics in 2001. He worked as a captain for Truth Aquatics from 2001-2003. He principally captained the *Vision*, but also captain the *Truth* “a number of times” and the *Conception* once. After a hiatus of a number of years in which he worked another maritime related job, he has worked the last 3 years doing 4-5 multi-day (2-5 day) trips per year as a relief captain on the *Vision*. Captain Hrabak is a certified diver, but he did not believe that dive certification was required for the captain position.

When Captain Hrabak was first hired and before taking over as captain of the *Vision*, he had a training period of about 6 months in which he served as second captain on the vessel. He did not receive any training from the company, other than the on-the-job training provided by the then-current *Vision* captain. (He noted that since he had worked on other dive boats prior to being hired by Truth Aquatics, there was an expectation that he had skills and did not require extensive training). The company did not provide an operations manual or any other procedural guidance for the captain; the captain was solely responsible for operating the vessel.

While working full time as the *Vision* captain, Captain Hrabak was responsible for hiring and dismissing crew. He found crew members either by word-of-mouth or by reviewing applications provided by the Truth Aquatics staff. Crewmembers that he hired had “some experience working on boats and diving” prior to being hired. A prospective new hire was invited to participate in a “deadhead” voyage, in which they were not paid, allowing them to interact with the crew. After the deadhead, the captain would make the decision on whether to hire the individual.

The captain and second captain were responsible for training new crewmembers when they came aboard. Training for new crewmembers was on-the-job training. Captain Hrabak stated that, before leaving the dock

for the first time, he gave newly reported crew a thorough walk-through of the boat, highlighting safety features, where emergency procedures were located, and describing procedures in an emergency. Once under way, he would provide training scenarios for the crew, and would occasionally "mock-up" an emergency for response by the crew. Training included fire drills, and all drills (man overboard, collision, fire, and abandon ship) were logged. Drills were generally conducted while passengers were in the water diving. Passengers were not mustered during the drills, nor were they required to by regulation. The vessel had a station bill that "everybody followed" for emergencies and drills. During his tenure, the vessel did not experience an actual fire on board.

For overnight trips, the *Vision* had a captain, second captain, two deckhands, and two galleyhands. Five crewmembers bunked behind the wheelhouse in 3 staterooms. One crewmember slept in the bunkroom. Captain Hrabak stated that the assignment of underway helm watches depended on how long the vessel was running between mooring/anchoring locations. If the run was less than 4 hours, then he kept the helm for the entire transit. If it was more than 4 hours, then the helm duties were split between the four deck crew. When anchored and divers were in the water, a watch was set; "most of the crew was up all the time." When asked whether a watch was set when anchored overnight, he did not answer.

He stated that it was uncommon to have smokers onboard the vessel, but when they were onboard, the smoking area was generally the fantail area, downwind. Of all his crewmembers, only one was an occasionally ("Social") smoker.

Captain Hrabak stated that there was a PA system installed on the *Vision* that had microphones associated with each speaker. The system allowed him to monitor sounds and voices in the galley and the bunkroom. "If need be, somebody could talk to me through that speaker." There were no phones or fire-alarm pulls in the bunkroom.

Captain Hrabak did not recall whether there was smoke or fire detection in the engine room or lazarette, although he stated that there was a fixed fire extinguishing system in the engine room that would alarm in the wheelhouse. In the bunkroom, there were two home smoke detectors that were tested annually. He never heard them go off during a trip.

Captain Hrabak stated that he periodically took the bunkroom hatch off for cleaning, but the hatch was never used during a drill or actual emergency.

Captain Hrabak stated that Truth Aquatics was a well-run company. He described the company vessels as "the safest boats on the coast." Between the time that Captain Hrabak left the company in 2003 and returned as a relief captain, he saw little change in the way the company was run. He stated that the office staff was "more supportive" than when he first worked for Truth Aquatics. For instance, when he started, there was no designated person on the staff responsible for finding replacement crew. He stated that the boats were not neglected.

He said that "*no expenses were spared*" in maintaining the Truth Aquatics boats (emphasis from Captain Hrabak). Captain Hrabak stated that he did 90% of the major maintenance on the boat, with the exception of general cleaning. Crewmembers could be tasked with simple maintenance, such as oil and filter changes, during off days under his supervision. Any structural work was done by him and Mr. Glen Fritzler, owner of Truth Aquatics. Fire hoses were tested no less than quarterly, no more than monthly, or whenever a new crewmember came aboard. Underway maintenance was completed by the crew and logged using standard company forms. He believed that the *Conception* crew under Captain Boylan would have kept accurate logs.

As captain of the *Vision*, Captain Hrabak did not have any issues during Coast Guard inspections. He stated that the vessel was never issued an 835-no-sail form, and, as far as he knew, all Truth Aquatics vessels always passed inspections. During his tenure, the relationship with the Coast Guard Detachment in Santa Barbara was positive.

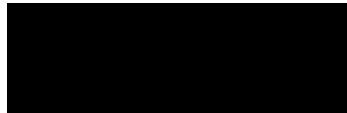
Captain Hrabak stated that, during Coast Guard inspections, the inspectors reviewed the drill logs of the vessel. Coast Guard inspectors also reviewed the vessel's COI but did not go over it line by line with the captain or crew. When asked, Captain Hrabak stated that Coast Guard inspectors did not ask about whether roving watches were being set onboard the vessel. The vessel was never boarded at sea by Coast Guard officials (with the exception of during one emergency involving a passenger that had fallen).

Captain Hrabak could not recall ever doing a drill with the local fire department, Coast Guard, or first responders. He noted that the vessel was employed 220 days out of the year, so there was little time to do training with outside organizations.

Captain Hrabak knows Captain Jerry Boylan, captain of *Conception*, and stated that he has a strong reputation on the waterfront. Captain Hrabak worked as a second captain for Captain Boylan on 1-2 one-night voyages. He believed that Captain Boylan was fully competent to captain the *Conception*. He stated, "I trust Jerry Boylan with my kids' lives."

When asked if there were any areas of concern that he felt the NTSB should include in the investigation, he offered that regulations should be revised so that older small passenger boats are upgraded to meet modern standards.

**END SUMMARY**

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A. Ehlers  
Marine Accident Investigator